

# EXTENSIONS OF REMARKS

## ACHIEVING A CIVIL SOCIETY IN THE UNITED STATES

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. GINGRICH. Mr. Speaker, I want to encourage my colleagues to read the following report, "Achieving a Civil Society in the U.S." which was written by a nonprofit roundtable that I set up in my district to study the need to reform and improve the nonprofit sector.

Our Nation is the leading country on the planet, with both a successful economy and the greatest opportunities for success. However, our civilization is at the risk of decay. Poverty, crime, and drugs threaten the lives of countless citizens on a daily basis. Our mission must be to create an opportunity society where nonprofit organizations, businesses, and government work together to ensure everyone in this country can pursue the American dream of life, liberty, and the pursuit of happiness. All it takes to make a difference in the lives of those less fortunate, is to give a couple of hours, even just once a month. Such a commitment would make a tremendous difference in the quality of life of all Americans. The report follows:

### ACHIEVING A CIVIL SOCIETY IN THE UNITED STATES—JULY 5, 1996

Since September 1995, a group of executive directors and volunteer leaders from a cross-section of nonprofit organizations primarily in the Atlanta, Georgia, area with participation from Augusta, Dalton and Tifton, Georgia have been meeting periodically with the Speaker of the U.S. House, Rep. Newt Gingrich. The purpose of these meetings has been to begin a dialog about the role of the nonprofit sector in creating a civil society and the potential impact of federal policy on this sector.

Through the course of several meetings, Rep. Gingrich charged the group with the task of defining their vision for a transformational society, an ideal view of the future of America from the nonprofit standpoint.

A vision of a civil society is one on which most Americans can agree. It describes a country where the three sectors of society, nonprofit, business, government, cooperate to meet the needs of its citizens. In this ideal country, neighbors help neighbors, and the general populace is fed, housed, clothed, educated, and healed. In this civil society all citizens are actively engaged in their communities, dedicated to improving the quality of life for all.

The true challenge comes in trying to create a more concrete statement from this vision: a system by which individuals and their institutions—nonprofits, business and government—collaborate to create a civil society with the capacity to continually transform and reinvent itself as population needs change and new challenges arise.

Through a facilitated meeting, the group of nonprofit representatives developed several broad principles and recommendations on which to build such a system. This is only a start; there is much work and discussion

left. This document represents a beginning; it also represents a consensus in regard to the conditions necessary to create a society that works for all Americans and gives individuals and families the power to create the communities they want.

### HOW DO WE GET THERE: GROUNDWORK FOR ACHIEVING A CIVIL SOCIETY

1. Create a shared vision of the roles and responsibilities of each sector in building strong communities.

We are all in this together. Each of the three sectors—business, government and nonprofits—must understand our respective roles and responsibilities in keeping the "three legged stool" of a civil society upright. Our interdependence must be acknowledged, celebrated and undergirded through public policy, public relations, financing mechanisms and program development. Agreeing on relative roles and responsibilities of each sector is essential to achieving a civil society. And each sector must recognize and support the roles of the others in this society.

The nonprofit sector's unique role in the community is to be a model builder and pioneer for new social forms and human services. The flexible and entrepreneurial spirit which birthed most nonprofits is the appropriate environment in which experiments and innovative programs can be developed.

### ACTION ITEMS/GUIDING PRINCIPLES

Nonprofit organizations working on the front lines of issues must clearly define and articulate best practices and develop new models of impact.

Nonprofits must take responsibility for being the voice of their constituents to all aspects of the organization's work and to the public policy table.

The federal government must take responsibility for accomplishing welfare reform in a way that does not leave behind or punish our country's most vulnerable citizens. It must also recognize that the private sector cannot fill the gap in funding currently proposed by Congress.

All three sectors must share the risks of change and work to communicate the shared vision to the general public. Public discussion should focus on a tripartite model which clearly articulates the civil sector's role as an equal partner in the creation of a new vision of our society.

We must develop a shared definition of healthy communities that allows for local flexibility at the same time identifies common benchmarks against which to measure impact.

In developing power from the federal to local governments, Washington must take responsibility and leadership for managing the change and measuring the impact of devolution on communities, nonprofits and state and local governments.

Privatization efforts must take into account the role of private nonprofits in accomplishing the task of delivering high-quality, cost efficient services.

Nonprofits must have a voice in government and in the planning of our future as a nation. It is especially essential that they have a fair say with regards to issues and legislation that directly affects them.

Business must bear its responsibility, as corporate citizens of its communities, for supporting the creation of healthy commu-

nities and civil society by providing funding, leadership and volunteers.

2. Together, define short- and long-term needs of communities and create plans to meet them.

As a society, with all sectors at the table, we must assess where we share a collective vision for creating a civil society which will transcend separate purposes of each sector, and create plans and policies needed to structure a civil society.

### ACTION ITEMS/GUIDING PRINCIPLES

Nonprofits must move from a deficit-model approach to one that builds on existing strengths and assets in communities.

Government policy makers must look beyond this budget year or election year in planning for the future.

Nonprofits must develop long-term strategies that are focused on prevention and solutions while ensuring that basic human needs are met.

Nonprofits must learn to adopt the best practices of the corporate sector to sustain their community mission. They must know how to cost their services and bring greater efficiencies into their operations.

Funding sources—government and private—must allow for long-term solutions to be developed and implemented.

Government and nonprofits must work together to ensure that the process for transformation takes into account that this will be a time of great transition and develop ways to protect the most vulnerable in society during that time.

Planning must take place from a thorough understanding of past successes and failures.

3. Establish and promote true collaborations and partnerships within and among the sectors to work toward a civil society.

No single sector has the capacity, by itself to implement a vision for a civil society. No agency or business or department of government can bring about significant change unless it works with partners within its sector and the other two. Our success in transforming our society is dependent upon the three sectors working together. Collaboration must move beyond rhetoric to substantial action and must draw upon mutual respect, use of each sector's strengths and broad expertise.

### ACTION ITEMS/GUIDING PRINCIPLES

Nonprofits must work together to define problems and bring best practices to light in their respective fields.

Nonprofits should strive to create high-quality, cost effective integrated service delivery systems across the human services continuum.

Funding sources—government and private—should recognize and fund costs associated with collaborative efforts among nonprofits.

Government should recognize and support partnerships with nonprofits as a desirable method of providing services in the community.

Business must recognize that return on investment in the community through partnerships affects the corporate bottom line and the quality of life of its employees.

Each sector must actively seek partnerships to implement the shared vision.

4. Evaluate and implement financial reforms and incentives to support the shared vision. Provide revenue sources necessary to support the new vision.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Undergirding the creation of civil society are a number of economic factors. Transformation must include financial reforms and appropriate incentives for government, business and the nonprofit sector. Incentivized strategies will allow for the most creative and unencumbered approaches toward development of a civil society. Resources are each sector's investment in the shared vision.

#### ACTION ITEMS/GUIDING PRINCIPLES

Congress must protect the current tax-exempt status of nonprofits and expand the charitable deduction to non-itemizers.

Business must encourage employees to give both money and time to their communities.

Congress should develop tax incentives for business to become more involved in their communities.

Business should seek ways to partner with nonprofit organizations to leverage human and financial capital for community needs.

Nonprofits should seek ways for their constituents to invest in their services to create new revenue streams as they are available.

Business and government should create incentives for displaced workers to join in creating a civil society by working in nonprofit causes.

5. Establish requirements and measurement systems that will ensure mutual accountability for community outcomes.

The focus of accountability and regulation must go beyond cost-effectiveness and highlight outcomes leading the realization of our vision. Currently, in both the nonprofit and government sectors, accountability often relates only to process. The ultimate accountability questions in a civil society are: "What impact did we have in the community? What benefits, and at what cost?"

#### ACTION ITEMS/GUIDING PRINCIPLES

Impact measurements should be developed using common benchmarks among all three sectors, by which progress and success may be measured and all involved may be held accountable for their work.

A system to measure efficiency and impact should be developed specifically for nonprofit organizations.

Government regulations of the nonprofit sector should be focused on outcomes rather than on processes. Government should be especially sensitive to the effect of regulations on small, grassroots organizations and the tradeoff of impact for efficiency that burdensome regulations can cause. There should be a balance of regulation that brings about meaningful accountability without sacrificing the ability of nonprofits to have significant impact.

Intermediate sanctions should be developed to allow the IRS to impose targeted and proportionate measures on a public charity's officers, directors or other individuals in cases of abuse in nonprofits.

The emerging field of business ethics and accountability should align itself with community outcomes for the shared vision.

### COMPUTER MODERNIZATION

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. HAMILTON. Mr. Speaker, I am inserting my Washington Report for Wednesday, January 8, 1997 into the CONGRESSIONAL RECORD.

COMPUTER MODERNIZATION IN THE FEDERAL GOVERNMENT

During the past several months, President Clinton urged Americans to work together to

provide computers and an Internet link-up for every school and library in the country. The idea is to give every school child, indeed, every citizen, across the country the same access to information of every conceivable sort. This promises to expand greatly the educational and employment opportunities for all Americans. The President is surely right to focus on information technology as a key to education and opportunity in the 21st Century.

The federal government, however, has not been a model of successful computerization. The "reinventing government" effort has already resulted in a federal government that is smaller and cheaper in terms of proportion of our GDP than at any time since the early 1960's, but it has been hindered by the failure of the government to modernize its computer technology. While some agencies are doing a good job government cannot "work smarter" unless it has the best and most modern information tools.

*Outdated Technology:* The federal government spends about \$30 billion per year on information technology, but sometimes it is hard to see the benefits. A recent report by the General Accounting Office, Congress' investigative arm, documented failures in government acquisition and management of information technology. This report criticized in particular two agencies that have direct impact on all Americans: the Federal Aviation Administration (FAA) and the Internal Revenue Service (IRS).

The FAA began a comprehensive modernization of the nationwide air traffic control system in 1981. Today, 16 years and several billion dollars later, air traffic controllers are still using 1960's-vintage equipment. The men and women responsible for the safety of passenger airliners depend upon equipment using vacuum tubes so antiquated that replacements have to be imported from Poland. As might be expected, this equipment is prone to frequent breakdowns. Experts say that several fatal airplane accidents could have been prevented by better computers. The good news is that air traffic controllers will finally begin to receive new and more reliable equipment this year. But it has taken too long, and cost too much.

The IRS has spent vast sums on new computers—some \$4 billion to date—with only limited results. Most returns are still processed the old fashioned way, by hand, with error rates of as much as 16%. This waste is compounded by the fact that obsolete technology lets many tax cheats off the hook. The IRS itself has estimated that in 1995 it failed to collect \$170 billion owed the government. If better computers allowed the IRS to collect even a fraction of that amount, it would go a long way toward balancing the federal budget.

*Roots of the Problem:* Why has the government spent so much money but fallen so far behind in information technology? One reason is the complexity of tasks we ask the federal government to do for us. For instance, keeping track of dozens or hundreds of aircraft flying through a particular sector, or managing the tax returns for a nation of 260 million people, are tasks which overwhelm most sophisticated supercomputers. Faced with "downsized" staffs and increased workload, the FAA and IRS attempted to leap to "new generation" computer systems. Unfortunately, they did not have the proper management or technical skills to oversee creation of this advanced technology.

A lack of management expertise has hindered attempts to automate operations throughout the government. The political appointees who run our agencies serve for a few years at most (an average Cabinet Secretary, for example, serves about 2 years), and do not possess the specialized skills nec-

essary to oversee a multi-year technology project. The departure of many top managers from the government to the corporate sector makes a tough job even more difficult. The government, of course, cannot compete with the salaries offered by private companies. This loss of talent has been worsened in recent years by anti-government rhetoric, culminating in last winter's government shutdowns. This has hurt morale throughout the career civil service and prompted many of the best government professionals to seek other careers.

There are other reasons for the poor government track record on computer modernization. Congress, for example, has in some cases simply slashed budgets for technology, without providing alternative means for agencies to replace obsolete technology. In addition, government procurement rules have often impeded modernization efforts. These regulations were aimed at preventing waste and ensuring fairness in the purchasing of goods and services, but have often proved too restrictive and too cumbersome.

*Moving Toward Reform:* Fortunately, the situation is improving. In the past few years, Congress has passed new laws to improve procurement and the management of information, and to eliminate red tape. These new laws, drawing upon private sector models, have decentralized decision-making and made it easier for government agencies to act like private companies in negotiating the best deals when buying computers and other items. They have also mandated that agencies give higher priority to information technology modernization.

Early indications are that agencies are using their new administrative freedom well and making real gains. For instance, after implementing a new computer system, the Social Security Administration was ranked as offering the best telephone customer service in the nation. Also, the U.S. Postal Service, thanks to increased automation, achieved record on-time mail delivery in 1996. Congress must keep the pressure on so that we see more progress in the years ahead.

*Conclusion:* Hoosiers want government to work better and cost less. But as we ask government to do more with less by "working smarter", we have to make sure it has the proper tools to do the job. Congress and the President must work together to ensure that the federal government has the necessary management expertise and administrative flexibility to procure and effectively to use the best information technology. Only then can the government serve its customers better.

### MEXICAN BAILOUT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. PAUL. Mr. Speaker, President Clinton, in his State of the Union Address, proudly announced that "We should all be proud that America led the effort to rescue our neighbor, Mexico, from its economic crisis. And we should all be proud that Mexico repaid the United States—3 full years ahead of schedule—with half a billion dollar profit to us." The reporting of this payback and the State of the Union Address was all favorable, highly praising the administration. The bailout was bipartisan so leaders of both parties were pleased with the announcement. International finance, just as it is with international military operations, is rarely hindered by inter-party fights

that get so much attention. But there are several reasons why we should not be too quick to congratulate the money manipulators.

First, they merely celebrate the postponement of the day of reckoning of their financial Ponzi scheme. It took \$50 billion in United States dollars to save creditors who had unwisely invested in Mexico prior to the crisis of 2 years ago. Much of this \$50 billion also included U.S. credit extended through the IMF, the World Bank, and the Bank of International Settlements, much of which is yet to be repaid.

Second, foreign government welfare, and there is no better name for it, takes money out of the productive sectors of the economy—the paychecks of middle-class Americans—to reward economic mismanagement and political corruption. Such welfare exacerbates Mexico's suffering: social disruption, economic stagnation, debt crises, and declines in real incomes.

Third, a new fund set up under the IMF will serve to bail out the next Mexico in trouble. The plan calls for the establishment of a \$25 billion credit fund with the United States ponying up \$3.5 billion. This fund is in addition to the IMF funds already available for such crises. Mexico has also received help from the Inter-American Development Fund; again, indirectly supported by United States taxpayers. These funds indirectly guarantee the newly-issued Mexican Government bonds and undermine the normal incentive for investors to police governments.

As such, more confidence is now being placed in new Mexican bonds enabling Mexico to refinance its old loans. Of course, it is at slightly lower interest rates, but they are more than doubling the time of repayment. All investments involve some risks. The rewards of such risk-taking are appropriately realized by investors as loans are repaid. American taxpayers should not, however, be forced to subsidize the Wall Street financier any time such entrepreneurial ventures are unprofitable. The true test of the professed confidence in Mexico will come from the level of private investment into the productive sectors of the economy.

Fourth, the Fed is allowed to hold Mexican bonds and use them as collateral for our own Federal Reserve Notes. It does so, even though it will not admit it, and refuses to reveal just how much it holds. It is quite possible that the newly issued Mexican bonds will find their way into the Fed's holdings. How far down the road we have traveled from constitutional money when we are backing the dollar not with gold but with Mexican bonds!

Fifth, a likely motivation for this fanfare regarding the repayment of the loans, and the so-called profits engendered, is to get the United States Congress to go along with using this money to pay our back dues to the United Nations. How about paying our so-called U.N. back dues with our Mexican bond holdings?

The use of the Exchange Stabilization Fund to bail out the peso was illegal and unconstitutional, and yet now we have a precedent not only established but praised for its great success. This precedent encourages political currency manipulation over sound fiscal and monetary policies as well as establishes the United States as lender of last resort for all governments with bad policies.

President Clinton claims that "We stand at another moment of change and choice—and another time to be farsighted, to bring America

50 more years of security and prosperity." He earlier told us the "era of big government is over," but calls for full burden sharing through the IMF in a multilateral way with the Mexico agreement. We need to end this shell game of masking economic mismanagement by circumventing both the Constitution and Congress.

We must stand firm in our opposition to the establishment of new extra-governmental agreements that will reward governments with irresponsible policies which, at the same time, punish their own people and erode U.S. sovereignty. Such policies take us one step further from a constitutional rule of law, and institutionalize the United States as the world's lender of last resort—all at the expense of the American taxpayer.

Political and economic factors can override, only in the short run, the subtle reality that the fiat nature of the dollar guarantees its inherent weakness and steady depreciation. This new easy credit scheme that the Government creates by fiat only expands the World Dollar Base leading to U.S. dollar depreciation and reduced buying power.

In essence, the bailout of Mexico and the financing of the payoff with interest, to the sheer delight of the politicians and their Wall Street constituents, were done on the back of the United States dollar and the United States taxpayer. The real consequence, however, will not be felt until dollar confidence is lost which will surely come and be accompanied by rapid inflation and high interest rates.

#### INVESTMENT COMPETITIVENESS ACT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. CRANE. Mr. Speaker, today I am introducing the Investment Competitiveness Act along with my colleagues, Ms. DUNN and Mr. McDERMOTT. In a nutshell, this legislation is designed to encourage additional foreign investment in the United States by eliminating a tax that we impose on foreigners only when they invest in the United States through a U.S. mutual fund. As chairman of the Ways and Means Subcommittee on Trade, I view this tax issue from the trade perspective—we ought not be setting up artificial barriers to trade or investment, particularly when others do not require the same of us. Such a policy is not only contrary to basic free market principles, but leaves us with a tax policy that discourages foreign investment in the United States through mutual funds—meaning the money goes elsewhere. Our ability to encourage foreign investment in U.S. securities will help lower capital costs and interest rates here at home. That means that money will be more easily available for entrepreneurs to create and expand business opportunities, meaning more job creation in the United States.

Under present law, most kinds of interest and short-term capital gains received directly by a foreign investor or received through a foreign mutual fund are not subject to the 30 percent withholding tax on investment income. However, interest and short-term capital gain income, when received through a U.S. mutual fund, are subject to the withholding tax. With-

out getting into too much detail on the technical aspects of the bill at this time, I would simply say that this legislation would modify the tax treatment of income received by a foreign investor through a U.S. mutual fund so as to make it generally comparable to the tax treatment of the same income when received directly or through a foreign mutual fund.

Mr. Speaker, I believe this legislation makes good sense both from a tax and trade policy perspective, and I urge my colleagues to lend their support.

#### TRIBUTE TO THE HONORABLE FRANK TEJEDA

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. SPENCE. Mr. Speaker: It is with great sadness that I rise today to honor my friend and colleague, Frank Tejada, who served our Nation in the House of Representatives for the last 4 years of his life. I wholeheartedly support H.R. 499, legislation which designates a U.S. Postal building in San Antonio to be named the "Frank M. Tejada Post Office Building". Though this is a small gesture with which to recognize Frank's life work, this monument will serve as a testimonial to Frank's heroic public service in his hometown of San Antonio and for our Nation at large.

Frank's career as a dedicated public servant is highlighted by his ongoing commitment to our national defense. He joined the Marines when he was only 17 years of age. While serving in Vietnam, he earned the Bronze Star for valor and the Purple Heart for sustaining wounds during an enemy ambush. Frank was also awarded the Commandment's Trophy, the Marine Corps Association Award, and the Silver Star.

After returning from Vietnam, Frank attended Marine Officers Candidate School and attained the highest grades in the history of the school. He continued on to earn his bachelor's degree in government from St. Mary's College. After graduating from college, Frank went on to earn several high academic degrees from our country's most prestigious schools: a juris doctor from the University of California at Berkeley, a masters degree in public administration from Harvard, and a master of laws degree from Yale.

Prior to being elected to Congress, Frank served 16 years in the Texas legislature: 10 years in the Texas House of Representatives and 6 years in the Texas Senate. Throughout this time, Frank championed veterans' issues and especially, veterans' housing and medical care.

Frank was a valued member of the House National Security Committee for the duration of his career in Congress. I and the other members of the committee will miss him and the high ideals that he brought to his work. As a member of the National Security Committee, Frank fought against defense spending cuts and base closures that would have negatively affected the Nation.

Frank Tejada was an exceptional politician and a patriotic American. I am thankful to have known him and to have worked alongside him. His leadership, intellect, and friendship will be greatly missed by us all.

## PRE-NEED FUNERAL TRUST BILL

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mrs. MINK of Hawaii. Mr. Speaker, I recently introduced legislation (H.R. 684) to relieve the tax burden for individuals who have purchased preneed funeral trusts. A preneed funeral trust is one in which monies are set aside for future funeral costs, in order to alleviate funeral expenses that may abruptly saddle remaining family members with tremendous and even unexpected financial burden. Individuals usually enter into a contract and purchase preneed funeral trusts with funeral or burial service providers, deciding at that time on final arrangements for themselves and/or family members.

H.R. 684 would remedy a bureaucratic inequity related to preneed funeral trusts which was created by a January 29, 1988 Internal Revenue Ruling (87-127). Under this IRS ruling, individuals purchasing preneed funeral trusts are required to report money in these trusts on their 1040 income tax forms and pay taxes on the interest income earned by these trusts, despite the fact that this interest is not returned to the purchaser. This has created confusion on the part of the purchasers who believe it unfair that they be assessed this tax on interest they never receive nor benefit from.

The ruling also established two classes of taxpayers with disproportionate tax treatment. Trusts purchased before the effective date of the ruling were subject to a grandfather clause, establishing a significant inequity between trusts purchased before and after the effective date.

H.R. 684 would require providers of preneed funeral trusts—funeral homes or cemeteries—to pay the tax on interest earned on the trusts, unless the interest is returned to the purchaser.

A related provision from the Ways and Means Committee was included in the vetoed Balanced Budget Act of 1995 that would have allowed providers of preneed funeral trusts to elect to pay the tax on interest earned on these trusts.

I urge my colleagues to support H.R. 684 to relieve families from unwarranted taxes.

RETIREMENT OF MAJ. GEN.  
RAYMOND PENDERGRASS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. SKELTON. Mr. Speaker, Raymond Pendergrass prepares to retire more than 48 years after first donning a uniform. A native of Boonesville, AR, he first joined the Armed Forces as a member of the Air Force Reserves in September, 1948, then joined his hometown Army National Guard unit, the 217th Medical Collecting Company, a litter bearer unit. The unit was called to active service in August 1950 and deployed to Korea, where General Pendergrass served with them through June 1952.

By the time he moved to Missouri, General Pendergrass had been commissioned and

served with signal and armor units. Locating in Rolla, MO, he joined the 1438th Engineer Company, and later would command the company.

He moved through the ranks, and at the time of his retirement as a colonel in February, 1986 was deputy commander of the 35th Engineer Brigade. His time in the retired ranks lasted 7 years almost to the day. Missouri Gov. Mel Carnahan recalled him to duty and he became Missouri's adjutant general in February 1993.

Immediately General Pendergrass had to deal with difficult reorganization decisions facing the National Guard as a result of the post-cold war reductions being made to the Army and Air Forces. But in only 4 months a more acute challenge faced him, the great flood of 1993.

Beginning in July 1993 and for the next 2 months, General Pendergrass led the men and women of the Missouri National Guard in its largest State emergency mission ever as both the Missouri and Mississippi Rivers overran their banks and everything in front of them.

General Pendergrass and the men and women of the Missouri National Guard worked with scores of State and Federal agencies to provide a response capability unequalled anywhere during that massive multi-State disaster.

General Pendergrass applied his leadership skills to ensure that the forces of the Missouri National Guard were equally accessible for Federal missions. During his tenure as adjutant general, units and individuals from the Missouri National Guard have served with distinction from Germany to the Balkans in Operation Joint Endeavor, and earlier in Somalia, Haiti, and Rwanda. During the same period his units led our nation-building efforts in Latin America, building roads and schools and providing medical care to families in isolated rural areas from Belize to Panama.

Through all his years of service to our Nation, Raymond Pendergrass has been more than a military leader, more than a man who knows that leading involves teaching. He has served as a gentlewoman willing to answer the call time after time, even returning from well-earned retirement. He is more than one of the last to remain in uniform with a Korean War combat patch on his right shoulder. He is a leader whose distinguished career is surely in the finest tradition of the American citizen soldier.

UNITED STATES-INDONESIAN  
RELATIONS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. HAMILTON. Mr. Speaker, I ask permission to include in the RECORD an exchange of letters with the State Department regarding United States relations with Indonesia.

Mr. Speaker, Indonesia, which is the world's fourth largest country in terms of population, will almost certainly play an important role in Asia in the 21st century. An effective American presence in Asia will be far more likely if our relations with Indonesia are on a sound footing. Unfortunately, there are a number of

issues—most notably, East Timor, human rights, and labor rights—that at present limit our ability to develop strong across-the-board ties with Indonesia.

Given the actual, and even more the potential, importance of this bilateral relationship, I encourage my colleagues to read the enclosed exchange of letters.

COMMITTEE ON INTERNATIONAL  
RELATIONS,

HOUSE OF REPRESENTATIVES,

*Washington, DC, November 20, 1996.*

Hon. WARREN M. CHRISTOPHER,

*Secretary of State,**Washington, DC.*

DEAR MR. SECRETARY: I write in order to share with you some of my thoughts on the U.S. relationship with Indonesia.

I believe it is very much in the U.S. interest to have a fundamentally sound relationship with Indonesia. Unfortunately, I fear that we are reaching a point where it may be impossible to sustain political support in the Congress for such a relationship. Certainly a repetition of the events associated with the Jakarta riot last July, and the government's subsequent crackdown on its critics, would undermine congressional support for solid relations with Indonesia.

For this reason, I would urge you and other senior administration officials to make certain that President Suharto understands that the maintenance of a cordial U.S.-Indonesian relationship depends upon the avoidance of any further upheavals in either East Timor or the rest of Indonesia.

Given the importance of the East Timor issue to many Members of Congress, you might suggest specific steps Jakarta could take to ease tensions in East Timor and assuage congressional concern in Washington. Reducing the number of Indonesian troops and police in East Timor would be an invaluable first step. In addition, you might encourage the Indonesian government to:

Continue and accelerate Indonesia's dialogue with Portugal regarding East Timor.

Recognize the importance of bringing the East Timorese themselves into a dialogue regarding the future of the province.

Grant increased access by international human rights organizations to all areas of Indonesia, including East Timor.

Provide for a full accounting for those who have been killed or "disappeared" in recent years.

Ensure that if the security forces do commit abuses, punishments are carried out in a manner that will act as a deterrent to future abuses.

Finally, Mr. Secretary, I would urge you and your colleagues in the administration to pay particular attention in the coming months to the need for informing Members of Congress of the many ways in which a constructive relationship with Indonesia serves U.S. interests. Many Members of Congress think of Indonesia almost exclusively in terms of either East Timor or worker rights issues. Certainly these are important issues, but they are not the only issues which ought to drive U.S. policy toward what is, after all, the world's fourth largest state. I would urge the administration to give a higher priority to the need for articulating the case for a cooperative relationship between the United States and Indonesia.

I believe that the President's reelection two weeks ago gives us a crucial opportunity to lay the groundwork for an effective American presence in Asia well into the 21st century. Indonesia will almost certainly play a leading role in Asia in the years to come, and I look forward to working closely with the administration over the next four years to strengthen our ties with this important country.

With best regards,  
Sincerely,

LEE H. HAMILTON,  
*Ranking Democratic Member.*

U.S. DEPARTMENT OF STATE,  
Washington, DC, January 30, 1997.

DEAR MR. HAMILTON: Thank your for your letter of November 20 in which you commented on the U.S.-Indonesia relationship.

We appreciate your thoughtful comments. We share your concerns, both about human rights violations in Indonesia and the continued tension in East Timor, and the problems these issues could pose as we work to preserve Congressional support for a relationship that has contributed so much to the stability of the Southeast Asia region and has proven so beneficial to U.S. security and economic interests.

Indonesia is entering a protracted period of political transition that will determine the country's future in the post-Soeharto period. The widespread arrests of political dissidents that occurred in the aftermath of the July 27 riots in Jakarta are particularly troubling. Although it is the Indonesian people and government who ultimately will shape their nation's future, we believe we can and should help encourage the development of civil society in Indonesia. To this end, we have worked to promote a greater respect for human rights and democratic principles of governance.

We concur with your view that we must ensure as well that the Indonesian Government understands that sound U.S.-Indonesia relations depend on improvements in the human rights situation and progress toward resolution of the East Timor question. Secretary Albright, Acting Assistant Secretary Kartman, and Ambassador Roy have and will continue to underscore at every opportunity that our bilateral relationship is important but cannot reach its full potential until Indonesia's human rights performance improves.

With regard to East Timor, we strongly support the ongoing UN-sponsored talks between Indonesia and Portugal and the introductory Timorese discussions. We have consistently urged the Indonesian Government to implement tension reduction measures and will continue to do so, drawing on the excellent advice include in your letter. These initiatives as well as a growing realization that the world is watching seem to have had a positive effect in East Timor, as the Indonesian authorities recently have maintained considerable restraint in the face of large demonstrations in support of Bishop Belo.

Recently, the Indonesian military has taken steps to try to correct its human rights shortcomings. Abuses by troops, for example, have been followed up by courts martial and in some cases by prison sentences. Furthermore, in some instances the military honor boards have been headed by graduates of U.S. International Military Education and Training (IMET) programs. These same officers also have helped incorporate human rights materials in Indonesian military training courses and, in the province Irian Jaya, have been responsible for issuing new rules of engagement manuals that include human rights principles.

Your suggestion that we should continue to pay special attention to informing Members of Congress of the benefits the U.S. derives from our relationship with Indonesia is well-taken. In this regard, we have and will continue to press the Indonesian government to authorize Congressional travel to East Timor so that members can assess first-hand the human rights situation and economic development there.

Although the Administration is strongly committed to advancing the cause of human

rights in Indonesia, we must also craft our initiatives in a balanced manner that preserves and promotes the cooperative relationship from which both countries derive important benefits. To accomplish this and to enhance our limited influence on internal developments in Indonesia, we will have to approach the Indonesian first as a friend—a nation which recognizes their contributions and can, therefore, speak frankly about what further progress is needed to allow the relationship to reach its full potential.

We greatly value your counsel on the challenges we face and look forward to working with you to pursue a course that advances the full range of interests that characterize our bilateral relationship with Indonesia.

Please do not hesitate to contact us if we can be of further assistance.

Sincerely,

BARBARA LARKIN,  
*Assistant Secretary, Legislative Affairs.*

#### TRIBUTE TO WILLA J. HAWKINS

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. KILDEE. Mr. Speaker, it is truly an honor to rise before you today to pay tribute to an individual who exemplifies the very best in civic pride and responsibility, and who has shown how gifted a woman she is by her actions and spirit. On Saturday, February 15, 1997, a luncheon will be held to honor Willa Junior Hawkins for her distinguished service to the citizens of Flint, MI, in her roles as educator, administrator, activist, and community leader.

Willa Hawkins, a resident of Flint, MI since the age of 6, graduated from Northern High School, and received degrees from Michigan State University and Eastern Michigan University in the field of education. She took those degrees and put them to use as a teacher in the Flint Public School system for 15 years, and as a principal for 17 years.

In addition to helping cultivate our most precious natural resource, our Nation's children, Mrs. Hawkins developed an interest in politics, beginning in the 1960's with her participation in the civil rights march in Washington, DC. She continued her involvement by working on various campaigns, including serving as campaign manager for 12 years for County Commissioner Sylvester Broome. Upon Commissioner Broome's death in 1991, Ms. Hawkins made the transition from campaigner to candidate as she was appointed commissioner and was later elected to the position, holding it until December 21, 1996.

Because of Ms. Hawkins' stellar reputation as a writer, planner, and organizer, she has served on numerous Genesee County boards including Community Mental Health, Community Action Agency, and Parks and Recreation Commission. She has also served with the Valley Area Agency on Aging, New Paths, Food Bank of Eastern Michigan, and Transition House board of directors.

Mr. Speaker, it is with a tremendous amount of pride that I appear before you today to recognize my colleague, my constituent, and my friend, Willa J. Hawkins. In the time I have known her, she has been a person who cannot help but make a lasting impact on everyone she comes in contact with. I ask you, Mr.

Speaker, and my fellow members of the 105th Congress to join me in recognizing Mrs. Willa J. Hawkins.

#### TRIBUTE TO LOCKWOOD GREENE

HON. BOB INGLIS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. INGLIS of South Carolina. Mr. Speaker, I would like to recognize Lockwood Greene, one of the country's largest design-build consulting firms and a fine company located in Spartanburg, SC, in my district. On February 19, Lockwood Greene will donate more than 5,000 original engineering drawings to the Smithsonian's National Museum of American History so they may be preserved for all to enjoy.

The works date to the mid-1800's and provide a historical look at how America evolved as new technologies were invented. Included in the collection are drawings, depicting how power was transmitted through a factory before the introduction of electricity; drawings recording the emergence of water as a form of power; and designs for radio stations that were built shortly after World War II. Lockwood Greene has a long history of contributions to engineering, beginning with its founding in New England in 1832 and continuing today with its headquarters in South Carolina.

I commend Lockwood Greene and its chairman, Donald R. Luger, for their tremendous gift to the Smithsonian and for preserving these wonderful designs, which lend so much insight into the history of both American engineering and our cultural development. I am pleased to represent the employees of Lockwood Greene.

#### TRIBUTE TO JO KAPLAN

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. BERMAN. Mr. Speaker, I am honored to pay tribute to Jo Kaplan, who has devoted her legal career to representing the poor, the underprivileged, and children. As both a member of the Los Angeles County Public Defenders Office and a lawyer in private practice, Jo has dedicated herself to helping those members of society who are desperately in need of help. Through her tireless efforts and selfless ways, she has made life better for so many.

Jo's husband, Larry Feldman, is a close friend of mine, and I know how proud he is of his wife's accomplishments. There is so much to tell. For example, since graduating from UCLA Law School in 1968, Jo has been a leader in getting more humane treatment for juvenile prisoners. She began by working in the public defenders office and later with then-Los Angeles County Supervisor Jim Hayes on ways to improve the lot of children held in detention. This included advocating a right to treatment for incarcerated youths, meaning the State had an obligation to try to give them ameliorative treatment while they were in custody.

After leaving the public defenders office, Jo established her own practice, quickly becoming a recognized expert in juvenile law in Los Angeles County. During this period she continued to work for better conditions for juveniles housed in mental hospitals, camps, group homes, and local county-run detention facilities. In recent years, Jo has broadened her area of advocacy to include reasons why children turn to crime. She concluded that almost all her clients started out as abandoned, abused, and/or neglected children. She has represented both parents and children in Los Angeles County Dependency Court with the idea that the parties need help, not punishment.

Since 1990, Jo has been head of one of the law firms of Dependency Court Legal Services. Currently, her firm represents over 10,000 children, ranging from infants born with drugs in their system to legally orphaned 19-year-olds who have been raised in our foster care system.

I ask my colleagues to join me today in saluting Jo Kaplan, whose dedication to the rights and well-being of children is an inspiration to us all.

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#### IN HONOR OF WARD CONNERLY

HON. CHARLES T. CANADY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. CANADY of Florida. Mr. Speaker, I rise today in commendation of Ward Connerly for his singular contributions to the fight for equal opportunity for all Americans. Ward Connerly has fought tirelessly to bring an end to the discriminatory practice of giving preferential treatment to individuals based on race or gender. His accomplishments in the cause of equality are a tribute to his strong will and character.

As a member of the University of California Board of Regents, Ward Connerly successfully led the fight to end the university's practice of using race as a factor in admissions. His example should be a beacon to national academic institutions, illuminating a brighter path toward policies which truly reflect the American understanding of equal opportunity.

Ward Connerly continued his struggle against preferences as the leader of the grassroots movement that brought the California civil rights initiative to fruition. Through his efforts, more than 1 million signatures were obtained in support of CCR1, which was placed on the November ballot. After a vicious campaign of distortions waged by its opponents, the initiative received 54 percent of the vote: The people of California let it be known that they wanted an end to the unjust policy of race and gender preferences in hiring, contracting, and college admissions.

Today, Ward Connerly is chairman of the American Civil Rights Institute. This new civil rights organization is dedicated to educating the American public about race and gender preferences. Through the institute, Mr. Connerly will again be at the forefront of this debate, carrying the banner of equal opportunity throughout the Nation and to Washington. I know of few other people who can shoulder such a burden with the exemplary combination of determination and grace that Mr. Connerly has demonstrated.

In a world where rhetoric rarely matches action, Ward Connerly practices what he preaches. As a young man, he did not stand outside the ring, waiting for an invitation to enter. He climbed in, fighting difficult odds. Through hard work and sacrifice, he paid his way through college. Then, he would not let the color of his skin hold him back; now, he refuses to let it win him favor.

Ward Connerly fights for the belief in fairness that lies at the heart of the American spirit. What lessons are we teaching our children if, on the one hand we say discrimination is wrong, yet on the other, practice the very discrimination we denounce? Our actions must reflect our principles. We simply cannot build a colorblind society by requiring that people be color-coded. The examples we set for our children should reflect the principles of equal treatment that this great Nation embodies.

Ward Connerly is living proof of what we can accomplish through hard work and devotion to principle. When others have shied away, he has stood his ground. When others have quit, he has persevered. And where others have failed, he has succeeded. Today, despite the worst kind of personal attacks, Ward Connerly maintains his dignity and courage. It is people like Ward Connerly, who are determined to unite America—not fragment it along racial, ethnic, or gender lines—that will lead this Nation into the 21st century. Indeed, Ward Connerly is worthy of our praise and admiration.

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#### LEGISLATION TO BAN THE USE OF PANTOPAQUE IN MYELOGRAMS

HON. JAMES A. TRAFICANT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. TRAFICANT. Mr. Speaker, arachnoiditis easily qualifies as a disease of the nineties. It has been described as "the greatest enigma in the field of spinal surgery" with few surgeons ever having seen it, and even fewer knowing how to treat it. In simple terms, arachnoiditis means "inflammation of the arachnoid," and is characterized by chronic inflammation and thickening of the arachnoid matter, the middle of the three membranes that cover and protect the brain and spinal cord.

Arachnoiditis may develop up to several years after an episode of meningitis or sub-arachnoid hemorrhage—bleeding beneath the arachnoid. It may be a feature in diseases and disorders such as syphilis or it may result from trauma during a diagnostic procedure known as a myelogram. According to the Arachnoiditis Information and Support Network, more than 300,000 myelograms are performed in this country every year. Of the 12 million Americans who suffer from arachnoiditis, the cases resulting from myelograms could have been avoided.

In a myelogram, a radiopaque dye is injected into the spinal subarachnoid space. After the x-ray examination, as much of the oil as possible is withdrawn; however, a small amount is left behind and is slowly absorbed. Studies have implicated the iodized oil contrast medium, Pantopaque, in arachnoiditis. Water-soluble dyes such as Amipaque, Omipaque, and Isovue were once thought to

be safer for use, however, recent evidence proves they also cause arachnoiditis. In fact, Harry Feffer, Professor of Orthopedic Surgery at George Washington University states that patients who have had two or more myelograms stand a 50-percent chance of developing arachnoiditis. Numerous studies on animals have confirmed these findings.

Symptoms of arachnoiditis include chronic severe pain and a burning sensation which may attack the back, groin, leg, knee, or foot and can result in loss of movement to almost total disability. Other symptoms include bladder, bowel, thyroid, and sexual dysfunction, as well as headaches, epileptic seizures, blindness, and progressive spastic paralysis affecting the legs and arms.

In the past few years, arachnoiditis sufferers and Members of Congress alike have repeatedly asked the FDA to recall the use of Pantopaque. The FDA has clearly not reviewed the safety of Pantopaque—oil-based—as well as waterbased dyes, in spite of medical evidence. As a result, I have introduced a bill to ban myelograms involving the use of Pantopaque, Amipaque, Omipaque, or Isovue.

This legislation is not a new idea. Since 1990, Britain and Sweden have banned the use of Pantopaque in myelograms. In fact, a class action suit is still pending in Britain consisting of 25,000 people, 1,500 of which are nurses. In 1986, Kodak, the company that makes Pantopaque, voluntarily stopped distributing the drug in the United States, due to public pressure. Pantopaque has a 5-year shelf life. The last batch was due to expire April 1, 1991. However, the use of Pantopaque has continued, with the Arachnoiditis Information and Support Network having documented a case in September 1993 and hospitals stocking the dye as recently as April 1994. Undocumented cases of use continue.

A large number of medical professionals do not know how to diagnose myelogram-related arachnoiditis, and when they do, they cannot treat it. Medical journals and case studies from around the world document the connection between radiopaque dyes and arachnoiditis. Despite this documentation, the medical profession as a whole has not been effectively informed and still persists in its use. Moreover, the lack of information prevents the physician from recognizing the disease or side effects of the residual dyes after the fact. The time has come for thorough research to study this painful, disabling condition. The legislation I have introduced today will direct the National Institute of Neurological Disorders and Stroke to estimate the number of Americans suffering from myelogram-related arachnoiditis and determine the extent of this relationship.

Every year, chronic back pain is responsible for billions of dollars in lost revenues and millions more in health care costs. The American Journal reports that chronic low-back pain is estimated to cost \$16 billion annually in the United States. Occupational research finds that back injuries, pain, and complications cost an average of \$15,000 per incident. According to The Power of Pain by Shirley Kraus, 100 million Americans are either permanently disabled or are less productive due to back pain. Those who do work lose about 5 work days per year, a productivity loss of \$55 billion. Interestingly enough, these figures only refer to chronic back pain patients. Almost all arachnoiditis sufferers eventually become totally disabled, becoming permanent fixtures on



the rolls of social security, disability, welfare, and Medicaid.

Arachnoiditis sufferers want to become functioning, contributing members of society again. The Traficant legislation will provide research for treatments for arachnoiditis sufferers, including treatments to manage pain. Pain-management treatments would enable sufferers to once again become active, working members of society.

It's time to protect unsuspecting Americans from this debilitating and preventable condition. I ask Members of Congress to join me by cosponsoring my legislation.

### SALUTE TO BLACK HISTORY MONTH

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. SCHUMER. Mr. Speaker, I urge my colleagues to join me this February in celebrating Black History Month. I would like to take a moment to reflect on the courageous leadership and civic duty that has shaped the communities of New York throughout this decade. As we approach a new century, New Yorkers of all ethnic backgrounds will face a new set of economic, social, and political challenges. If we stop and recognize the perseverance of African-Americans in times of change, their record of commitment to the pursuit of prosperity, integrity and opportunity for their families and friends speaks for itself.

The tireless work of community and religious leaders in guiding African-American communities have done much to improve the quality of life in our city. I am proud to honor this important occasion where African-Americans join hands to acknowledge their accomplishments and their unique contributions to our society and the world.

The level of civic participation in today's culture is depressingly low among average American citizens. However, I am always inspired by the surge of community spirit and leadership from African-Americans in New York. Our society would be a better place if more Americans emulated the civic duty and moral strength of their African-American counterparts. I hope that Black History Month is recognized and honored by citizens of all backgrounds. I honor the work and vision of my African-American colleagues in Congress and throughout New York. May our city continue to be blessed with their leadership.

### PERSONAL EXPLANATION

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. ROEMER. Mr. Speaker, on February 5, 1997, I was not present for rollcall votes No. 9 and No. 10 due to the birth of my daughter Sarah Kathryn Roemer.

Had I been present, I would have voted "yea" for rollcall vote No. 9 and I would have voted "yea" for rollcall vote No. 10.

### 25 YEARS OF GLORY

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. KNOLLENBERG. Mr. Speaker, I rise today to honor a person special to Livonia, MI: Father George Shalhoub.

For the last 25 years, Fr. George has been a spiritual leader, church builder, educator, loyal husband, and father. He was the driving force that built St. Mary Antiochian Orthodox Church, making the church what it is today.

Born in Lebanon, George Shalhoub immigrated to America and in 1972 he married his wife, Nouhad, was ordained as a priest, and assigned to the newly established St. Mary Orthodox Church within 2 weeks.

After the birth of their first child the following year, St. Mary's broke ground for the new church and fellowship building. In March 1976, the congregation, led by Fr. Shalhoub, celebrated its first divine liturgy in their own church.

After years of building, growth, and progress, tragedy struck in April 1996, testing the strength of the Fr. Shalhoub and the entire St. Mary's family. Their church was destroyed by fire.

But just 6 months later, thanks to the hard work, leadership, and dedication of Fr. Shalhoub, St. Mary's was resurrected from the flames like the phoenix.

This week George, Nina, their four children, and the entire St. Mary's congregation celebrate 25 years of strength, dedication, commitment, and faith. I extend my heartiest congratulations on their special anniversary.

### LET'S SHOW THE PUBLIC WE'RE SERIOUS ABOUT REDUCING THE SIZE OF FEDERAL SPENDING: REFORM OUR CONGRESSIONAL PENSION SYSTEM

HON. JOSEPH R. PITTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. PITTS. Mr. Speaker, today I introduced a bill to reform the pension system for Members of Congress and their staff. My bill, the Congressional Pension Reform Act, will make the pension benefits for Members of Congress the same as other Federal employees.

The Congressional Pension Reform Act of 1997 reduces the pension accrual rates for Members of Congress and their staff members. A pension accrual rate is the percentage of pre-retirement pay earned in pension benefits for each year of service. Under my bill, those congressional Members and staff who entered Federal service before 1984 will have their accrual rates reduced from 2.5 percent to between 1.5 and 2 percent, depending on how long a person has worked for the Federal Government. For Members and staff who began Federal service after 1984, their accrual rates are reduced from 1.7 percent to 1 or 1.1 percent. These changes will save the taxpayers about \$9 million over 6 years.

As a member of the House Budget Committee, I realize that we as legislators have to make tough decisions which limit the size of

our Federal Government. We need to shift responsibilities from a bloated Federal bureaucracy to families and local communities. I want to demonstrate to the people of Lancaster and Chester Counties that I will impose sacrifices upon myself and the rest of Congress which are similar to those we ask others to make.

Mr. Speaker, I believe that Members of Congress should be treated like every other Federal employee. By reforming our own pension plan, we can reduce the perks of elected office which have no place in our Federal Government and which shake the public's confidence.

On January 30, I wrote to Budget Chairman JOHN KASICH to urge that my provisions on congressional pension reform be included in the majority's balanced budget package. Further, I plan to have my bill included in the budget reconciliation bill so that our shared goals of reducing Government spending and reviving the public's trust in this body can become a reality. I thank the Speaker, and look forward to working with him to reform our pension system.

### THE STATE OF THE UNION ADDRESS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, February 12, 1997, into the CONGRESSIONAL RECORD.

#### THE STATE OF THE UNION ADDRESS

Declaring that we have no imminent threat and that the enemy of our time is inaction, President Clinton issued a call to action in his State of the Union address. It was a call to keep our economy and our democracy strong, to strengthen education and harness technology, to build stronger families and communities, and to keep America the world's strongest force for peace, freedom, and prosperity. The President used more of the "bully pulpit" in the speech, often using rhetoric and challenges to the American people rather than urging new federal programs.

In many ways, the address distilled the President's thinking about what is needed to prepare the American people for the 21st century. He said we need to "take the tough decisions in the next four years that will carry our country through the next fifty years".

#### ROLE OF GOVERNMENT

The President sought to define himself, his agenda, and his presidency for the American people, and he certainly summed up his view of government. He said we must be committed to "a new kind of government—not to solve all our problems for us, but to give all our people the tools they need to make the most of their own lives".

The President clearly focused on small, incremental proposals rather than the sweeping federal initiatives he proposed when he first took office, such as health care reform. Even when the President promises to focus time, energy, and money on an issue—like education—he proposes something less than an all-out federal assault. Overall, he brought together many proposals from his recent speeches in an effort to frame a program that seems significant but would cost relatively little.

#### DOMESTIC PRIORITIES

His discussion of his domestic priorities was by far the most detailed portion of his

speech. Often he spoke about problems that the nation's governors have been talking about, such as education and crime.

The President spoke crisply, and with conviction. He showed genuine passion as he talked about his number one priority for the next four years—ensuring that Americans have the best education in the world. Recognizing widespread concerns about education, he called it “one of the critical national security issues for our future”. He then dealt in rapid-fire fashion with most of the policy areas on the nation's agenda. He wants to expand Head Start, extend the family and medical leave law, expand medical research and technology, mount a full-scale assault on juvenile crime, and clean up 500 toxic waste sites. He wants low-tax empowerment zones in urban areas to encourage revitalization.

His education proposals call for a 40 percent increase in federal spending on education by the year 2002. He set out a ten-point plan to renew education at all levels; especially noteworthy for me was his emphasis on teachers. So much of the discussion on reforming education has omitted the key importance of teachers. More controversial was his call for education standards. Most everybody is demanding improvement in the quality of education, recognizing the wide variety in what schools teach and students learn among the states and the counties. Most past efforts to create national education standards have been either ignored or diluted, and the U.S. is one of the few industrialized countries without specific national requirements for what students should know. The challenge here is to help students and teachers to know what to strive for in class without creating more federal intrusion into the schools.

The most moving portion of the speech came at the end when he called for one America, emphasizing that diversity is our strength, not a weakness, and that we must all be “repairers of the breach”. Even after a long speech, the audience was clearly moved by the president's conclusions and plea for unity amidst diversity.

His bluntest statements were in opposition to the balanced budget amendment to the constitution, even as he made a strong plea to balance the budget. He stated that a constitutional amendment would cripple the country in time of crisis and force unwanted results upon the country. I strongly applauded his call for bipartisan campaign finance reform, and I was not surprised to see him make a plea for improving welfare reform. And I liked his challenge to employers to make the new welfare system work by giving someone on welfare the chance to work.

The most dramatic change in the President's thinking is on health care. He has clearly abandoned his plans for sweeping changes, and is now proposing more incremental steps by extending insurance to at least half of the ten million children in our country who have no health insurance.

#### WORLD LEADERSHIP

The President gave major emphasis to keeping American leadership in the world strong. He spoke for some time and in considerable detail about what that means. He wants an undivided democratic Europe and an America that looks to the East no less than the West. He also wants an America that prospers in a global economy, free to conclude new trade agreements that open new markets to our goods and services, even as we preserve our values. He expressed his confidence that with the best workers and the best products, we can out-compete anybody in the world in a truly open market. The President made a very strong and direct

appeal to Congress to approve the chemical weapons convention, and to support the necessary resources to carry on our diplomacy. He urged Congress to take the steps to keep America strong, secure, and prosperous for another fifty years.

#### CONCLUSION

I thought the State of the Union address was one of the President's better speeches. It gave a very clear indication of his priorities. The President hit the right themes of improving education and better preparing our nation for the future, but he spent very little time discussing the tough decisions and shared sacrifices that will be needed to tackle the problems of balancing the budget, shoring up Social Security and Medicare, and reforming the campaign finance system.

The President tried to convey a sense of decisive and coherent action by setting out the agenda for the next four years but without proposing ambitious new federal programs. He was clearly aware throughout the speech of the limits imposed by the fiscal realities. The President still speaks of offering opportunity, demanding responsibility, and preparing us for the 21st century, but his proposals reveal a diminished means for accomplishing those goals.

### CONGRATULATIONS TO TRICIA PATTERSON

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. WELLER. Mr. Speaker, today I rise to bring to the House's attention the good work of a valued community organization in my district, the Italian American Commercial Club, and their efforts to assist outstanding young people to further their education.

This year the Italian American Commercial Club of Joliet's 1996 scholarship recipient is Tricia Patterson. Tricia is an outstanding young lady and is an honors student at Joliet West High School. While maintaining a full load of honors classes, Tricia still manages active involvement in the National Honors Society, the French National Honors Society, French Club, and Peer Helpers. On top of this, she works part-time at Dominic's.

Tricia is proud of her family and credits her family with teaching her the basic values that have helped her succeed.

This outstanding Joliet West High School student has worked hard to succeed, especially when it comes to academics. Tricia plans to attend college and has already been accepted to two outstanding colleges, Northern Illinois University and the University of Illinois to study accounting.

I'm proud to represent outstanding young people like Tricia Patterson and commend community groups like the Italian American Commercial Club for their contribution to helping young people.

I ask the House to join me in congratulating Tricia Patterson.

### HONORING PAMELA Y. LOVING

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. KILDEE. Mr. Speaker, I rise today to honor an individual who is strong and positive

force within the community, and who by her actions has shown that the rewards from such dedication are immeasurable. On Thursday, February 6, 1997, the Flint, MI Pan-Hellenic Council will honor Ms. Pamela Y. Loving as a part of their Seventh Annual Salute to African-American Elected Officials. The awards dinner is chaired by Mr. James B. Franklin III, and the honorary chair is Dr. Alan Arnold.

Pamela Loving, a resident of Flint MI, has blessed the city with a professional career that spans 35 years, beginning at Lippincott Market as a sweeper, a butcher and a cashier. Ms. Loving has also held positions at Hurley Medical Center and served as the public health nurse for the city of Flint. She has also served as president of Whole Village, Inc. and then began a 23 year tenure at GMI Engineering and Management Institute. These accomplishments have ultimately led to her current position as acting president of Jobs Central, Inc., proving that hard work and perseverance are prime factors for success.

Armed with an associates degree from C.S. Mott Community College, a bachelor's degree from the University of Detroit and a graduate-level curriculum from such schools as Central Michigan, Purdue, Wisconsin, Michigan State, and Harvard, Ms. Loving decided to pursue a more active role in the community of winning a seat on the Flint Board of Education in 1989, where she still serves as treasurer. In addition to the board, Ms. Loving possesses a host of affiliations including the Flint Cultural Center, Hurley Medical Center Board of Directors, Alzheimer's Association and Forum Magazine Advisory Board, to name a few.

This year's dinner will also honor the Honorable Valdemar Washington with the distinguished Floyd J. McCree Memorial Leadership Award. Additionally, the Community Service Award will be given to Ailene Butler, Joann Owens-Reed, and Ali Saaba. All of these individuals represent the very best in civic and social responsibility, and are more than deserving of the highest respect and admiration.

Mr. Speaker, it is with great pride and honor that I appear before you today to recognize Ms. Pamela Loving. As evidenced by her personal motto that “Learning is a lifelong process,” she has been and shall continue to be a solid inspiration to not only me, but to all those she comes in contact with. I ask you, Mr. Speaker, and my fellow members of the 105th Congress to join me in recognizing this outstanding individual, Ms. Pamela Y. Loving.

### TRIBUTE TO HONOR JACKIE ROBINSON MARKING THE 50TH ANNIVERSARY OF THE DESEGREGATION OF MAJOR LEAGUE BASEBALL

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. SCHUMER. Mr. Speaker, I rise today to pay special tribute to a talented man, Mr. Jackie Robinson, and to the 50th anniversary of the desegregation of major league baseball. Not only did Jackie's efforts gain entrance for African-Americans into professional baseball, but they paved the way for African-American participation in all professional sports.

Fifty years ago, as the United States fought racism in World War II, America's national



pastime remained a white-only sport. On April 10, 1947, Jackie Robinson broke the color barrier in major league baseball, ending 71 years of exclusion for African-American athletes, when he was signed by Brooklyn Dodgers president Branch Rickey.

Jackie's path breaking career in professional baseball began on October 23, 1945, when he was signed to the Montreal Royals, the Dodgers' Triple-A farm team, as the first African-American player in the minor leagues. In his first game, Jackie led the Royals to a 14-1 victory over Jersey City Giants winning the respect and admiration of Montreal and Jersey City fans alike. As he remembered, "the crowd just mobbed me. Kids were chasing me \* \* \* to get my autograph and grown people were patting me on the back \* \* \* I was convinced that American sports fans are truly democratic \* \* \* that they would accept me—they didn't care what color a player was."

Jackie went on to play as first baseman for the Brooklyn Dodgers in April 1947 and was named National League Rookie of the Year. During his 10 years on the Dodgers the team won the pennant six times and the World Series in 1955. When Jackie retired in 1957 he had played every position but pitcher and catcher, and boasted a .311 lifetime major-league average, with 1,518 hits, 947 runs, 273 doubles, and 734 RBI's. He was named the National League's Most Valued Player in 1949 and to the Baseball Hall of Fame at the first election he was eligible on July 6, 1962.

In this, the golden anniversary of major league baseball's desegregation, I ask Members to join me in honoring Mr. Jackie Robinson and the American ideals of opportunity and equality which make our Nation great.

## 25 YEARS OF SERVICE TO SOUTH LYON

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. KNOLLENBERG. Mr. Speaker, I rise today to honor a loyal and dedicated officer to the community of South Lyon in Oakland County, MI. David LaFond celebrated his 25th year on the South Lyon police force on January 26, 1997.

David began his career in law enforcement on August 11, 1963, with the city of Northville. He transferred to South Lyon in 1972 and has served 25 dedicated years since.

He was promoted to sergeant in 1977 and in 1990, became the first lieutenant in South Lyon police history. Currently, David serves as the second in command of the South Lyon department and, for the past 12 years, has been the officer in charge of all department investigations.

Mr. LaFond has been awarded many citations and letters of commendation during his years of service. He has acted as director of public safety and served on the West Oakland major crime team since its inception. In 1994, he was elected the team coordinator.

The dedication of David LaFond exemplifies his commitment to making South Lyon a safer place for our families. He is a loyal public servant who deserves the recognition, honors, and accolades he receives.

## REPEAL THE ESTATE TAX

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. STUMP. Mr. Speaker, among the taxes the Internal Revenue Service collects, the estate tax ranks as one of the most unfair. With top rates reaching as high as 55 percent, the estate tax can and does force the sale of family businesses, farms, and ranches to satisfy the tax collectors.

Mr. Speaker, I think it's safe to say that most people work for themselves and their families. They do not spend long hours and many years building a successful business or family farm so that when they die, the Government can step in and take the fruits of their labors. Yet, that is exactly what the estate tax allows.

Though they account for only 1 percent of Federal revenues, estate taxes have forced the sale of thousands of farms, ranches, and businesses throughout this country. We can only guess at the jobs and economic potential lost through this process. One study concluded that one-third of all small business owners will have to sell all or part of their businesses to pay estate taxes—70 percent of that group will have to cut their work force.

Estate taxes hit the agricultural sector particularly hard. American agriculture is filled with farmers who are rich only on paper. These "paper millionaires" know that the value of their farms is not in the IRS valuation of their equipment and land, but in the farm's ability to produce agricultural products. Farmers make their living growing food and fiber, not speculating in land and equipment.

Mr. Speaker, I am today introducing legislation to repeal the estate tax. After a lifetime of hard work and sacrifice, the family business owner, farmer, and rancher should not be faced with the prospect of losing it all to the tax man.

## IN CELEBRATION OF BLACK HISTORY MONTH

SPEECH OF

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. DELLUMS. Mr. Speaker, I rise today in commemoration of Black History Month. The observation of Black History Month dates back to 1926 when African-American historian and scholar Dr. Carter G. Woodson introduced "Negro History Week," traditionally observed during the second week of February to coincide with the birthdays of Abraham Lincoln and Frederick Douglass, a personal hero. In 1976, this was expanded to include the entire month of February. In many communities, this has also been expanded with celebrations beginning with Kwanzaa in late December, continuing in January with the birthday celebration of Dr. Martin Luther King, Jr. through February, culminating in May with the birthday of Malcolm X. Of course, it goes without saying that black history is relevant everyday especially in the United States since it is inextricably linked to the history and development of this Nation.

I would like to take this opportunity to highlight one celebration that resonates personally. This past Sunday, February 9, the Pullman Blues Whistle Stop Tour departed Jack London Square in my hometown of Oakland, CA. This tour was created to coincide with a February 16 celebration by the Historic Pullman Foundation in honor of the thousands of African-American men and women who provided the Pullman Co. and the railroads of America with over a century of faithful service on the passenger trains of railroad's Golden Age.

My uncle, C.L. Dellums, for whom the Amtrak station at London Square is named, was a Pullman car porter. He was a colleague and comrade of A. Philip Randolph in the struggle to bring dignity to the jobs that were being performed by railroad workers. Their pioneering struggle that resulted in the creation of the first largely African-American trade union was a harbinger not only of future victories for worker rights—but it was a catalyst that led to some of the important and more general civil rights victories in our society. It is no small wonder that this movement succeeded, given the towering vision and the charismatic intellectual leadership of people like A. Philip Randolph and C.L. Dellums.

This cross country whistle stop tour via two private railroad cars began in Oakland, stopping over at Los Angeles, Kansas City, St. Louis, Chicago, and will end in the historic town of Pullman, IL. Cosponsors of this event include the A. Philip Randolph Institute, the NAACP, Amtrak, Twayne Publishers, and various private and union sponsors throughout the country.

Their efforts to highlight the work of thousands of African-American men and women in the railroad industry is an important and moving contribution to our continuing struggle to bring about equality of opportunity and an end to bigotry and intolerance in our Nation. We have so far to go to achieve equality, and we desperately need to remain engaged in this struggle—not just because the goal is so terribly important but because we need urgently to persuade our children that we continue to fight and struggle for their future as well.

I applaud their efforts and wish them the very best in their celebration.

## SPECIAL TRIBUTE TO BENTLEY KASSAL

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. RANGEL. Mr. Speaker, and my colleagues of the House, I would like to take this opportunity to bring to your attention a very special person who is about to celebrate his 80th birthday on February 28, 1997.

I am speaking about Justice Bentley Kassal who has faithfully served the people of the State of New York for over 40 years. Bentley Kassal was born in New York City on February 28, 1917, to Pauline Nirenberg and Hyman Kassal, who arrived from Poland in 1914. He attended New York City public schools. He graduated from Townsend Harris High School and was a member of the varsity soccer and baseball teams. He was elected to the Townsend Harris hall of fame in April 1991 and received its Life Achievement Award in October 1989.

He is a graduate of the University of Pennsylvania [1937, B.A.] and Harvard Law School [1940, J.D.]. Justice Kassel enlisted and served for 4 years in World War II and was awarded a Bronze Star Medal, three bronze arrowheads for participating in three D-day invasions, Sicily, Salerno, and Southern France and seven battle stars for his service in the African, Italian, and European theaters of war.

In 1956, Justice Kassal was the first reform Democrat legislator elected to the New York State Legislature. He served from 1957 to 1963 in the New York State Assembly. In 1960, he authored a bill establishing the first arts council in the United States—the New York State Council on the Arts.

He was elected to the New York State civil court on January 1, 1970, and later to the New York State supreme court in 1976, and designated as an associate justice of the appellate division where he served until his mandatory retirement by reason of the constitutional age limitation on December 31, 1993. As a supreme court justice, he authored 334 published opinions.

Justice Kassal served as chairman of the New York State Chapter of Americans for Democratic Action from 1964 to 1966 and was a member of ADA's national board. He is also a trustee at large of the Federation of Jewish Philanthropies and the United Jewish Appeal, as well as a director of the city of New York Supreme Court Justices Association, the Helsinki Watch Committee, and several other organizations.

In addition, he worked as a pro bono photographer for Save the Children Federation, UNICEF, Helsinki Watch Committee, Foster Parents Plan, Joint Distribution Committee, International Rescue Committee, World Monuments Fund, and numerous other charities, traveling throughout the world, covering 147 countries on 65 photo assignments.

Justice Kassel is listed in 14 different "Who's Who" directories and is married to Barbara Joan Wax. New York is blessed to have this wonderful and devoted justice, and I am proud and fortunate to be able to call him my friend.

#### TRIBUTE TO HONOR GEORGE ALEXANDER OF BROOKLYN, NY ON HIS CENTENNIAL

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. SCHUMER. Mr. Speaker, I rise today to honor a dedicated and honorable citizen of Brooklyn, NY, upon his 100th birthday. Throughout his long and full life, Mr. Alexander has possessed a passion for the sea. In hopes of seeing the world, Mr. Alexander left his native Barbados at the early age of 13 as a deck boy aboard an Argentine flag vessel. Mr. Alexander realized his hopes and sailed around the world working on many foreign flag vessels. One notable vessel being the TSS *Van Dyke*, which was the largest passenger ship in the world at the time. The *Van Dyke* took Mr. Alexander to ports of call such as his native Barbados, St. Lucia, and Rio de Janeiro, as well as many ports throughout Europe.

A naturalized citizen, Mr. Alexander answered his call to duty during both World

Wars. Serving as a merchant marine, Mr. Alexander transported supplies and ammunition over the treacherous war-time seas to our troops aboard.

As tribute to his dedication to seamanship, Mr. Alexander became a charter member of the Seafarers International Union [SIU] in 1938. He served brilliantly in the SIU until his retirement in April 1970.

For the last 12 years of his seagoing career, Mr. Alexander ascended to the rank of port steward. Serving as port steward for Calmar Lines was Mr. Alexander's last assignment with the SIU before his retirement. Mr. Alexander has remained visible within his beloved union and after 27 years of retirement, still visits the Brooklyn union hall to short the breeze with some of his old ship mates weekly.

Mr. Alexander's outstanding career demonstrates the values of dedication, commitment, and hard work that all Americans value. I urge my colleagues to recognize and honor this distinguished sailor.

#### RECOGNIZING FRANK DEL OLMO FOR 25 YEARS OF DISTINGUISHED JOURNALISM

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. TORRES. Mr. Speaker, I rise today to honor Mr. Frank Del Olmo, a good friend and distinguished journalist. Tomorrow night, Frank's colleagues, family, and friends will gather to pay tribute to him for his 25 years of distinguished journalism at the Los Angeles Times.

During his tenure at the Times, Frank has earned respect and admiration of his colleagues in journalism. He thoroughly and objectively covered such national stories as Watergate, and the civil wars in El Salvador and Nicaragua. In addition to working as a field reporter, Frank has worked as an editorial writer, a commentator, and an editor.

Throughout his career, Frank has received numerous awards for his contributions to print media. He was a member of a team of Times reporters who won the coveted Pulitzer Gold Medal for Meritorious Public Service for a series of articles on southern California's Latino community. In 1976, he won a Emmy for Distinguished Achievement in Writing for a KNBC-TV documentary.

Because of his notable body of work, Frank is a well known and highly respected voice in the Latino community. He has frequently covered such subjects as affirmative action, bilingual education, immigration, and Latin America. Currently working as assistant to the editor, Frank writes a weekly column, often focusing his attention on the pulse of Los Angeles' Latino community, for the Sunday Times Opinion section.

Mr. Speaker, I ask my colleagues to join me in paying tribute to a distinguished journalist and friend, Mr. Frank Del Olmo. His presence at the Los Angeles Times is invaluable to our community, and it is fitting that he will be honored for his 25 years of contributions to print media, and to the community at large.

#### ACCURACY IN CAMPUS CRIME REPORTING ACT

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. DUNCAN. Mr. Speaker, Congressman CHARLES SCHUMER and I have introduced today the Accuracy in Campus Crime Reporting Act of 1997. This bill will close some of the loopholes that have allowed many colleges and universities to not report many instances of criminal activity on their campuses.

Last year, the House of Representatives passed House Resolution 470, which expressed the sense of the Congress that the Department of Education was not adequately monitoring and enforcing compliance with the current campus security law. This resolution passed the House by a vote of 413 to 0 on September 11, 1996.

The Accuracy in Campus Crime Reporting Act will supplement the Campus Security Act of 1990. Specifically, it will instruct colleges and universities, which receive Federal funding, to make available to their students in a timely fashion information on all crimes reported to campus police departments, security agencies, and other campus officials to whom crimes are reported. Such crime logs would be open to public inspection on a daily basis.

Similar laws are already in effect in seven States: Tennessee, Massachusetts, Oklahoma, California, West Virginia, and Minnesota.

The Accuracy in Campus Crime Reporting Act will also change Federal educational privacy laws that have shielded students who have been charged with criminal acts because of a definition that considers such charges as part of an individual student's private academic record.

The current law lists only a few crimes that are required to be reported annually and these crimes are to be determined at the discretion of college administrators. Some college administrations do not comply with the spirit of the law because they would simply like to avoid bad publicity.

The Accuracy in Campus Crime Reporting Act of 1997 will allow students and their parents to have a greater awareness of patterns of crimes that occur on campuses all too frequently. The bill will also make it possible to have independent confirmation of the accuracy of the annual statistics that colleges submit. I believe that this bill will help make colleges and universities much safer places.

#### PRIMARY CARE EDUCATION ACT

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. TRAFICANT. Mr. Speaker, it's a well known fact that America's growing emphasis on specialization in the physician work force has driven up the costs of health care and fragmented access to medical services. What is not widely known is that America will have a shortage of 35,000 primary care physicians by the year 2000 and a projected surplus of 115,000 specialists—Dept. of Health and

Human Services. To reverse current trends in medical education and lower the rate of inflation on health care costs, I have introduced the Primary Health Care Education Act.

In the past year, two separate Government-funded studies have produced substantial evidence that medical schools must respond now to compensate for our primary care needs of the 21st century. The Primary Health Care Education Act is based on the findings and recommendations to the Congress found in both reports. These reports include: first, the General Accounting Office's [GAO] October 1994 report to congressional requesters entitled, "Medical Education: Curriculum and Financing Strategies, Need to Encourage Primary Care," and second, the Council on Graduate Medical Education's [COGME] eighth report to Congress and the Department of Health and Human Services called Patient Care Physician Supply and Requirements: Testing COGME Recommendations.

I would like to briefly summarize the GAO's findings. Medical career decisions are usually made at three specific times during a student's education: first, at the end of college when students typically apply to medical school, second, during the fourth year of medical school when students choose the area of medicine to pursue and enter residency training, and third, at the end of residency training when residents decide to enter practice or to train further for a subspecialty. The Primary Health Care Education Act attempts to encourage primary care as a career choice at all points in a student's academic career.

The choice of career paths in medicine is found to be significantly influenced by the curriculum and training opportunities students receive during their medical education. Foremost among these factors was whether the medical school had a family practice department. Students attending schools with family practice departments were 57 percent more likely to pursue primary care than those attending schools without family practice departments. Second, the higher the ratio of funding of a family practice department in relation to the number of students, the higher the percentage of students choosing to enter primary care. Students attending medical schools with highly funded departments were 18 percent more likely to pursue primary care than students attending schools with lower funding. A third factor was whether a family practice clerkship was required before career decisions were made in the fourth year. Students attending schools which required a third-year clerkship were 18 percent more likely to pursue primary care. Fourth, a significant correlation was found between residents who were exposed to primary care faculty, exposed to hospital rounds taught by primary care faculty, and exposed to rotations which required training in primary care—and residents who were not—in choosing to enter general practice.

Given the health care needs of the 21st century, COGME recommends we attain the following physician work force goals by the year 2000. First year residency positions should be limited to the number of 1993 U.S. medical school graduates, plus 10 percent. At least 50 percent of residency graduates should enter practice as primary care physicians. By comparison, current projections show that America will have a mix of 31 percent generalists and 69 percent specialists by 2000—under the status quo.

To reverse the current trends toward specialization, the Traficant Primary Care Education Act directs the Secretary of Health and Human Services to give preference to medical schools which have established programs that: first, emphasize training in primary care, and second, encourage students to choose primary care. Under the act, the Secretary must consider the GAO's findings when establishing the conditions a medical school must meet to receive preference.

The Secretary, however, is by no means limited to the GAO's findings. The Primary Health Care Education Act was designed to give the Department of Health and Human Services the authority to shift the current trends in medical education to meet existing and future needs. It does this by giving preference, or awarding grants and contracts to schools which have designed curriculum that has been proven to increase primary care. The Traficant bill, however, by no means dictates, to the administering agency or medical schools, the best way to achieve the desired results. The Traficant bill, in fact, follows the intent of language of the Public Health Service amendments of 1992, which was passed only by this body. It is my hope that HHS, as the expert agency on this issue, in consultation with medical schools, GAO, and COGME, will attain the health care and physician work force needs of the 21st century.

The Primary Health Care Education Act has been endorsed by the American Osteopathic Association and the American Association of Colleges of Osteopathic Medicine. If you support improved access to services and lower health care costs, I urge you to cosponsor the Primary Care Education Act.

#### BLACK HISTORY MONTH TRIBUTE TO REV. LEON H. SULLIVAN

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. RAHALL. Mr. Speaker, today we take the time to observe Black History Month and pay tribute to those individuals who have made significant contributions to history and to our society. One such individual is Rev. Leon Howard Sullivan, a clergyman and civil rights activist, from Charleston, WV.

Leon H. Sullivan was born on October 16, 1922. Growing up, he lived in an environment that was severely limited both economically and socially. In spite of his circumstances, Sullivan focused his after school energies on religion and sports. At the remarkably early age of 17, he was ordained a Baptist minister, and soon thereafter, he entered West Virginia State College, a historically black college, on an athletic scholarship. His contribution to society and to West Virginia State College led to the construction of Sullivan Hall in 1970. Sullivan Hall houses the women students at West Virginia State College and the West Virginia Graduate Studies Administrative and College Offices.

In 1942, Sullivan met former U.S. Representative, Adam Clayton-Powell who was visiting West Virginia. Sullivan so deeply impressed Powell that at Powell's suggestion, Sullivan moved to New York City to study theology at the Union Theological Seminary and sociology at Columbia University.

After completing his studies, Sullivan became the pastor of the Zion Baptist Church in Philadelphia from 1950 to 1988. In the 38 years he served at the Zion Baptist Church in Philadelphia, the congregation increased from 600 to 6,000 members. Sullivan expanded the church's activities to include a daycare center, a credit union, an employment agency, a community center for youth and adults, adult education reading classes, athletic teams, choral groups, and family counseling services.

In an effort to provide opportunities for African-American business ventures, in 1962 Sullivan established the Zion Investment Association in Philadelphia. He has constantly fought the war against racist hiring practices and organized protests and economic boycotts. In 1964, he demonstrated another act of courage on behalf of justice and equality when he established the Opportunities Industrialization Center [OICA], the first organization of its kind in the United States dedicated to providing comprehensive employment training and placement for disadvantaged, unemployed, and unskilled Americans of all races. Today, there are more than 70 OIC centers across the United States and 28 centers in countries such as Africa, Poland, Central America, England, and the Philippines.

Reverend Sullivan's concerns regarding housing for the poor and the elderly resulted in the construction of more than 1,000 housing units in major cities including Philadelphia, Kansas City, Oklahoma City, and Indianapolis. His OIC training programs have trained more than 2 million people for better job opportunities in America and Africa.

He is the recipient of more than 100 national and international awards, and in 1992, President George Bush presented Reverend Sullivan with The Presidential Medal of Freedom. He serves on the board of directors of numerous companies such as Mellon Bank and is the director emeritus of General Motors Corp. where he was the first African-American to sit on the GM board.

This is but a thumbnail sketch of the many achievements of Rev. Leon H. Sullivan. With a mind full of ideas and the motto "We help ourselves," Rev. Leon H. Sullivan has contributed immensely to the advancement of African-Americans and to society as a whole. He is a man of great wisdom with many hopes and dreams for his fellow Americans and is an inspiration to us all.

#### TRIBUTE TO LOUIS MARCHESE

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. YATES. Mr. Speaker, on Sunday, February 9, 1997, Mr. Louis Marchese, 65, died at his home in Arlington Heights, IL. I rise today to pay tribute to this fine man.

A prominent lawyer in Illinois, with an extensive background in contract and distribution law, Mr. Marchese was a senior partner with the Chicago law firm of Halfpenny, Hahn, Roche & Marchese. He was nationally recognized for his expertise in association law, anti-trust law, contract law, trade regulation, employment law, product liability, interstate taxation, and government regulatory law. In addition to his significant legal contributions, Mr.

Marchese also lectured at the Executive Development Centers of both the University of Illinois at Chicago and Northwestern University. He also is credited with writing several books and articles related to his legal work and experience.

Mr. Marchese was a member of the Chicago Bar Association, the American Trial Lawyers Association, and the legal section of the American Society of Association Executives. He received his law degree from the DePaul University School of Law in Chicago and was an Army veteran of the Korean war.

His son, Steven, is my talented and effective legislative assistant.

Besides Steven, Mr. Marchese is survived by his wife, Margaret; son, John; daughters, Mary Ellen Baker, Ann Griffin, and Meg Marchese; his mother, Anna; brother, Jerry; and five grandchildren.

#### A TRIBUTE TO GWENDOLYN BROOKS, A LEADING VOICE IN AMERICA

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. DELLUMS. Mr. Speaker, I rise today to pay tribute to Ms. Gwendolyn Brooks, who is being honored for her distinguished career on February 14, 1997, by the Department of English and the Moorland Spingarn Research Center of Howard University. I ask my colleagues to join me in paying tribute to a special person who has touched millions of people throughout the world with her words.

Gwendolyn Brooks was born in Topeka, KS, in 1917 and then moved to Chicago early in her life. She has long been recognized as a leading voice in modern American letters. For more than 50 years, she has undertaken as her life's work a composite portrait of African-Americans acknowledging within the universe of her poems their nobility and enduring spirit. For five decades, she has interpreted their stories within the context of America, commemorating in works such as "A Street in Bronzeville," "Annie Allen," "The Bean Eaters," "In the Mecca," "Family Pictures," "Riot," "Aloneness," "Beckonings," "To Disembark," "Maud Martha," and "Blacks," those of us adjudged the leastwise of the land. With prophetic insight, eloquence, and passion she has written of her people's joys; their triumphs, their follies, and their despair. But through the sustaining power of her love and the depth of her commitment, her people live and may yet prevail.

Gwendolyn Brooks, distinguished poet of our time, distinguished poet laureate of Illinois, distinguished consultant-in-poetry to the Library of Congress, distinguished Pulitzer Prize winner, teacher, mentor, true lover of the poor, poet of the people, we honor and salute you.

#### TRIBUTE TO THOMAS ALVA EDISON

HON. JAMES E. ROGAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. ROGAN. Mr. Speaker, I ask my colleagues to join me in paying tribute to Thomas

Alva Edison, the greatest inventor, whose 150th birthday was February 11. He was a man whose vision transformed America from an agrarian nation into an urban-industrial power. He almost single-handedly ushered the world from the age of steam into the age of electricity. Thomas Edison embodies everything noble about our great country.

He was born to Canadian immigrants Samuel and Nancy Edison in Milan, OH, on February 11, 1847. As a young, inquisitive boy he was actually expelled from elementary school for asking too many questions. Instead, he was taught at home by his mother and by his own intellect and curiosity. Despite these difficulties, he became one of the most prolific inventors in history.

There are few Americans who can claim that their vision, their creativity, their hard work and their entrepreneurial imagination have positively benefited the lives of virtually every human being on the planet for the last century.

Thomas Edison is one such person. He received a record 1,093 patents. These were for inventions such as the electric light bulb, the phonograph, and the motion picture camera. He also revolutionized the electric power generation and distribution systems, marking the true beginnings of the world's electric utility industry.

California has particularly benefited from this great man's genius. He created our film and recording industries which now employ over half-a-million people and exceed more than \$40 billion in annual worldwide revenues. Even today, one of the world's largest energy companies based in California, still bears his name: Edison International.

Perhaps Edison's greatest contribution to the science community was establishing the world's first research laboratory. His lab in West Orange, NJ, is now designated as the Edison National Historic Site.

I ask my colleagues to join me in recognizing Thomas Alva Edison for his contributions to all mankind. He is an American we can proudly point to as a role model for our youth and as an inspiration to our future.

#### REGARDING CONGRESSIONAL REVIEW OF THE ARMY CORPS OF ENGINEERS NATIONWIDE PERMIT PROGRAM REVISIONS

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. SHUSTER. Mr. Speaker, I rise today to call the attention of the House to an issue which has recently arisen regarding the implementation of the Congressional Review Act [CRA], Public Law No. 104-121, subtitle E, title II, 110 Stat. 847, 868-74 (1996). I particularly want to thank the Honorable H. Martin Lancaster, Assistant Secretary of the Army for Civil Works, and Maj. Gen. Russell Fuhrman, Director of Civil Works, for the spirit of bipartisan cooperation with which they and their staff worked with the Transportation and Infrastructure Reform and Oversight Committee. Because, however, the issue is one which is likely to recur, I bring it to the attention of my colleagues for their consideration.

As many of you are aware, in December 1996, the Army Corps of Engineers issued its "Final Notice of Issuance, Reissuance and Modification of Nationwide Permits," (61 Fed. Reg. 65874 (Dec. 13, 1996)), which will significantly alter wetlands permitting in the United States. That regulation took effect yesterday, February 11, 1997.

Initially, the corps refused to submit the nationwide permit final rule to Congress because the agency maintained that the CRA did not apply. The corps argued that the nationwide permit regulations were not a rule within the meaning of the act for various reasons relating to, among other things, the permit-like nature of the regulations and their optional—rather than mandatory—use by permittees.

I disagree with that view. In my judgment, the corps' nationwide permit regulation was a rule within the meaning of the CRA and section 551 of the Administrative Procedure Act. My view was supported by an earlier opinion of the general counsel of the General Accounting Office who reached a similar conclusion on analogous facts last year. The general counsel considered the Secretary of Agriculture's issuance of an agency memorandum concerning the implementation of the Emergency Salvage Timer Sale Program. See B-274505, Letter from Robert Murphy, General Counsel, to Senator Larry E. Craig (Sept. 16, 1996). Even though that implementing memorandum was not a formal notice and comment rule, GAO nonetheless concluded that the memorandum met the much broader definition of a "rule" used in the CRA and was required by that act to be submitted to Congress for review. Given the nature of the Corps' Nationwide Permit Program proposal, I concluded that failure to submit the proposal to Congress would also violate the CRA, in light of the analysis and criteria used by GAO.

I was even more concerned with the potential that failure to submit the nationwide permit proposal for review could have rendered the entire, reissued program invalid based solely on procedural grounds. The CRA, 5 U.S.C. 801(a)(1), provides that before a rule may become effective, the agency promulgating the rule must submit it to each House of Congress for review. The corps' initial inclination not to submit the nationwide permit final notice to Congress ran the risk that a Federal court might subsequently determine that the failure to do so violated the requirements of §801(a)(1). Were that determination to be made, the nationwide permit rule might be deemed without effect and all permits issued thereunder subsequent to February 11, 1997, deemed null and void ab initio.

In light of this uncertainty, I urged the corps to rethink its position and accept the congressional review process adopted in the 104th Congress. To its credit, the corps did so—although with reluctance. Though the corps continues to believe that submission of the nationwide permit rule was unnecessary, the corps agreed to submit the rule for review under the congressional review process and did so yesterday. We have both agreed that in doing so the corps remains free to argue its position both to Congress in connection with any further submissions under the CRA and in the Federal courts.

While the corps submitted the rule in the interest of comity, I remain concerned about the agency's determination that the rule is not a major rule triggering the special moratorium

and review provisions of §801. I am also concerned that the level of consultation with, and analysis by, the Office of Management and Budget—as required by CRA—was minimal. Even so, I appreciate the corps' willingness to work with us in the spirit of bipartisan cooperation so as to move beyond the initial issue of submission to Congress under the CRA.

With this procedural issue set aside, we can now focus on the substance of these significant changes to the Nationwide Permit Program. The leadership of the Transportation and Infrastructure Committee and its Water Resources and Environment Subcommittee looks forward to reviewing the modifications, particularly to Nationwide Permit No. 26, and the overall impact of the January 23, 1997, Federal court ruling—American Mining Congress versus Army Corps of Engineers—invalidating the corps' so-called excavation rule. Congressional review of these recent developments should help in the overall effort to reauthorize and improve the Clean Water Act, including the wetlands permitting program.

#### HONORING THE NORTH PARK MIDDLE SCHOOL BAND OF PICO RIVERA

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. TORRES. Mr. Speaker, I rise today to honor the members of Pico Rivera's North Park Middle School marching band. On Wednesday, January 1, 1997, this group of talented young individuals participated in the 108th Annual Tournament of Roses Parade in Pasadena, CA, as the first group of middle school students to perform in this event in over 45 years. As I watched the North Park Middle School band on television, I was filled with pride that this group of talented youth from my congressional district was representing my community. It is through their dedication, hard work, and perseverance that the band members earned this distinct privilege, and they are to be commended.

On Monday, May 24, 1993, I stood before my colleagues in the House and honored this same group of young people for their commitment to excellence. I spoke of the band members and their parents who faced the board of education to demand that North Park Middle School's music program not be abolished. As a result, funding was continued, and the band was bestowed with one of the greatest honors possible: the opportunity to perform before millions of viewers in the 1997 Rose Parade.

The outstanding performance demonstrated by each of the band members is testimony to the leadership and guidance that the band's director, Mr. Ron Wakefield, has provided over the years. Because of Ron's dedication and belief in his young musicians, the band never gave up its dream of one day performing in the Rose Parade. Helping Ron were assistant director, Jose Diaz, parade coordinator, Lou Diaz, and Rhonda Cheat, colorguard adviser. I would also like to recognize North Park Middle School principal, Robert Martinez, vice principal, Dwight Jones, and the parents of the bandmembers for their support of the band's efforts.

Mr. Speaker, I stand before you today in recognition of the young members of the North

Park Middle School band for their tireless efforts and outstanding achievements. This talented group of musicians has made the Pico Rivera community proud. I, too, am proud to represent such fine young men and women, and I ask my colleagues to join me in honoring them for their hard work and accomplishments.

THANK YOU, PETER KING

HON. KAREN MCCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Ms. MCCARTHY of Missouri. Mr. Speaker, I would like to take this opportunity to recognize Congressman PETER KING for his tireless and diligent work on behalf of the Irish people.

Congressman KING, who serves as the chairman of the Congressional Ad Hoc Committee on Irish Affairs, was awarded the Heart of America International Peace Award by the Ancient Order of Hibernians, Padriac Pearse Division I, Jackson County, MO, on February 1, 1997. This honor was for his strong opposition to British oppression of the Irish people. Mr. KING was only the third leader to receive this prestigious honor. Previous winners of this award include Jerry Adams and Bernadette Devlin. All three have distinguished themselves through exemplary leadership in the area of human rights equalization in Northern Ireland. He was recently presented this award by the Ancient Order of Hibernians in my district.

Congressman PETER KING has traveled to the six occupied counties in Northern Ireland on 15 different occasions and is recognized as the leader in Congress on issues facing Ireland. He has been honored by the Ancient Order of Hibernians, the Knights of Columbus, the Irish-American Fenian Society, the Irish National Caucus, and the Irish Northern Aid Committee.

His travels to Northern Ireland enabled him to witness hunger strikes, the Diplock Courts, and other monumental events. He accompanied President Clinton on the President's historic peace mission to Belfast and Derry in 1995.

Thank you, PETER KING, for your outstanding service to the Congress, the Irish-American community throughout our great Nation, and the Irish nationalist community abroad. I applaud your efforts and salute you as the 1997 Heart of America International Peace Award recipient.

HONORING FRANK VISAGGIO

HON. STEVE R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. ROTHMAN. Mr. Speaker, I rise today to honor Frank Visaggio, who was selected to represent the United States in Taekwon Do's 1997 World Championships.

A team of six men and six women will compete against over 30 countries this July in St. Petersburg, Russia. The team competition includes four events: sparring, breaking, patterns, and team patterns.

Mr. Visaggio of Seacaucus, NJ, has been training in Taekwon Do for 15 years. He is the New Jersey State director of the International Taekwon Do Association, and is owner and head instructor of the Meadowlands Academy of Martial Arts.

Mr. Speaker, I urge you and all of our colleagues to join me in commending Frank Visaggio on all of his worthy accomplishments. I wish Frank and his teammates the best of luck in this summer's competition.

THE INDEPENDENT COUNSEL LAW

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, February 5, 1997, into the CONGRESSIONAL RECORD.

REFORMING THE INDEPENDENT COUNSEL LAW

Congress enacted the independent counsel law in 1978 in response to Watergate and the seeming inability of the executive branch to investigate and prosecute crimes by senior administration officials. The independent counsel, appointed by federal judges and working outside the executive branch, was intended to handle such cases in an impartial manner, thus restoring public confidence in the process.

Since the law's enactment there have been 17 independent counsel investigations at an estimated total cost of over \$115 million. Of those 10 ended with no indictments. Four others, including the Whitewater investigation of the President, are ongoing. There were several convictions in the Iran-contra investigation, although some were overturned on appeal.

Even though the law is not up for review until 1999, Congress is already considering proposals to reform the measure. A House subcommittee held hearings on the law last year, and numerous articles have been written on the issue, particularly in light of the ongoing Whitewater investigation. Some argue that the act has worked reasonably well, while others say it has led to costly and unending investigations and should be overhauled or scrapped.

HOW THE LAW WORKS

The independent counsel law generally applies to high ranking officials in the executive branch, including the President, Vice President, senior White House staff, and Cabinet members as well as members of Congress. The Attorney General can seek an independent counsel on her own initiative or on receipt of information alleging a violation of federal criminal law.

The Attorney General conducts an initial review of the matter. If she reasonably believes further investigation is warranted, she applies to a special three-judge panel appointed by the Chief Justice of the Supreme Court, requesting that the panel appoint an independent counsel. The panel selects the independent counsel, and defines the scope of the investigation. The independent counsel has the full range of investigatory and prosecutorial powers and functions of the Attorney General.

There is no specific term of appointment for independent counsels. They have unlimited budgets, serve as long as it takes to complete their duties, and may seek to expand the scope of their investigation. An independent counsel may only be removed by

the Attorney General for good cause. Likewise, the special three-judge panel may terminate the work of the independent counsel if the counsel's work is deemed completed.

#### ARGUMENTS PRO AND CON

Supporters of the independent counsel law contend that it is necessary to investigate allegations of high-level misconduct in the executive branch. Only an independent counsel, chosen by a panel of judges, can provide the best assurance of a thorough and impartial investigation followed by a fair-minded prosecution or public dismissal of the charges. The Attorney General, in contrast, is a political appointee of the President, and might not be counted on to conduct an impartial review of allegations of misconduct by the President or his appointees.

Opponents respond that the law is too easily abused. Congress enacted the independent counsel statute to address those occasions, as with Watergate, where there is serious evidence of criminal misconduct by the President or high level government officials. An independent counsel operates with broad powers and an unlimited budget, outside the standard constraints of executive branch accountability, and should be rarely appointed. The Iran-contra affair and Watergate might justify appointment of a special counsel, but determining whether a Department Secretary told an FBI background reviewer the total amount of money he gave his former mistress does not. Such a case could be handled by the Justice Department.

#### REFORM PROPOSALS

There is a wide range of proposals for reforming the independent counsel law. Some favor outright repeal. They say that career Justice Department prosecutors can impartially investigate and prosecute cases of executive branch misconduct, and that the political process will hold the President accountable for prosecutorial abuse. After all, they observe, the Watergate cases were investigated and prosecuted without an independent counsel law.

Others support incremental changes to the law. One set of reforms would limit the circumstances when an independent counsel would be appointed. For example, the law could be limited to allegations of misconduct at the highest levels of government, such as the President, Vice President, and Attorney General, and to crimes committed in office. Likewise, the law could be amended to raise the threshold at which the Attorney General must ask the three-judge panel to name a special prosecutor.

Another set of reforms would place some checks on the powers of an independent counsel. The law, for example, could be amended to fix a time limit on the investigation, subject to extension by the appointing court if there has been an indictment or if the independent counsel has the evidence to justify further inquiry. The law could also be changed to limit the ability of the independent counsel to expand the scope of an investigation. Some have also proposed constraining spending on investigations by making them subject to annual congressional appropriations.

A third set of reforms would improve the integrity of the independent counsel process. One such proposal would make the job of independent counsel full time, permitting no representation of other clients. This reform would enhance public confidence in the impartiality of the investigation, and help expedite the proceedings.

#### CONCLUSION

I have consistently supported the independent counsel law, and approved of the appointment of a special prosecutor in the Iran-contra and Whitewater cases. I believe,

however, that the process should be used more sparingly and subject to more constraints. Public confidence in the process has diminished as investigations drag on for years, at great expense.

The independent counsel law expires in 1999. We should use the next two years to review the current law, and consider reforms that would improve public confidence in the process, including limiting the use of the independent counsel law and making the process, when invoked, move more swiftly and less expensively.

### HOORAY FOR THE LADY BULLDOGS

#### HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. ROGERS. Mr. Speaker, on Sunday, February 3, 1997, the Lady Bulldogs of Hazard High School in Hazard, KY, made a dream come true. That was the night they won the All "A" State Tournament by beating Lexington Catholic 53 to 45.

This was the fourth time in history that Hazard High School had a team in a basketball State championship. In fact, the Lady Bulldogs of 1996-97 had a lot to live up to—every Hazard team that had gone to the State championships before had won. Were they up to the challenge?

In their opening game of the tournament, the Lady Bulldogs beat the defending All "A" champions from Louisville Holy Cross 61 to 34. This was a sign of great things to come. After two more games, the Lady Bulldogs faced Lexington Catholic—and the rest is history. With effective offense, tenacious defense, skillful shooting, and tremendous coaching, the Lady Bulldogs claimed victory for their own.

Today, the 1996-97 Lady Bulldogs—Jaime Steele, Dee Sammons, Leah Cornett, Betsy Boggs, Charlotte Sizemore, Lori Graves, Carolyn Alexander, Tracy Kershaw, Nea Rogers, Christy Dunigan, and Jennifer Sharp—are walking tall. Each one a dedicated, hard-working young lady. Each one with the character and perseverance of a champion, not because she won a State tourney, but because she dared to pursue the dream.

The victory, however, is not theirs alone. Their coach, William "Bill" Fannin, began to lay the groundwork over a decade ago. In 1985, he took on the coaching job, and with patience, understanding, hard work, and love in his heart, he helped show the Lady Bulldogs what it takes to be winners—not just on the court, but also in school and their community.

Of course, Coach Fannin had a little help. Coach "Cos" Hugh Cosimini; coach Frieda Fannin, Bill's wife; and coach Candi Fannin, Bill's daughter, put a lot of time, energy, and heart into building the Lady Bulldog team we know today.

The community of Hazard also deserves some of the credit for their staunch support of the team. And, I would be leaving out an important part of the team if I didn't mention the Hazard cheerleaders, whose spirit at the games helped rally the Lady Bulldogs to victory. In fact, both the Lady Bulldog cheerleaders and the Hazard boy's team cheer-

leaders won first place in their competitions during the All "A" Tournament.

We all know that it's not whether you win or lose—it's how you play the game. Certainly, these Lady Bulldogs played fairly, with dignity and pride. But it sure is a great feeling to actually win the game. Today, I congratulate the Hazard Lady Bulldogs and their coaches. Good work on a job well done.

### CONGRESSMAN FRANK LUCAS HONORS EIGHT OKLAHOMANS WHO HAVE BEEN HONORED AS "CIVIL RIGHTS TRAILBLAZERS"

#### HON. FRANK D. LUCAS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. LUCAS. Mr. Speaker, I rise today to honor eight Oklahomans who were recently honored as "Civil Rights Trailblazers." The Oklahoma Historical Society's Black Heritage Committee acknowledged the commitment to civil rights that these leaders have made. The following were honored on February 6, 1997.

Former Oklahoma Representative Hannah Diggs Atkins was a State representative for 12 years and served as a delegate to the United Nations General Assembly under President Jimmy Carter. She is also a member of the Oklahoma Women's Hall of Fame and the Afro-American Hall of Fame.

David Boren is a former Governor and Senator from Oklahoma. Among other things, he chaired the Senate Select Committee on Intelligence and was a cochair of the 1993 Joint Committee on the Organization of Congress. He currently serves as president of the University of Oklahoma.

Rev. W.K. Jackson currently preaches at the Oklahoma City St. John Baptist Church. He has served as president of the Baptist Ministers Union, the Progressive Oklahoma Baptists State Convention, and the Coalition of Civic Leadership.

Ms. Rubye Hall is the current chair of the Oklahoma Historical Society's Black Heritage Committee. She is a life-long educator who is an emeritus member of the Oklahoma Historical Society Board of Directors.

Mr. John Kirkpatrick formed the Kirkpatrick Foundation in the 1970's and has been honored by the Oklahoma City Federation of Colored Women's Clubs with an Achievement Award in 1992. He and his wife Eleanor have been very active philanthropists.

Ms. Clara Luper was an active civil rights leader in the 1960's who led a number of lunch counter sit-ins in Oklahoma City to break down Jim Crow Laws.

George Nigh is a former Governor, Lieutenant Governor, and State representative of Oklahoma and currently serves as president of the University of Central Oklahoma. In addition, he is a member of the Oklahoma Hall of Fame and was inducted into the U.S. Jaycees Ten Outstanding Young Americans Hall of Leadership.

Ms. Ursula Sanders is the current president of the Baptist Ministers Wives of the National Baptist Congress of Christian Education and served for 16 years as president of the Women's Christian Temperance Union in Oklahoma.

I want to personally salute these leaders and thank them for the progress that has been



made in the area of civil rights as a result of their efforts. It is my hope that their examples will be followed by the next generation of leaders as all of us confront the continuing problems regarding race relations in the United States. We would be well served to do so.

SALUTING STEVE D. BULLOCK—  
BLACK PROFESSIONAL OF THE  
YEAR

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. STOKES. Mr. Speaker, I am proud to salute an outstanding individual from my congressional district who is being recognized for a very special honor. On February 15, 1997, the Black Professionals Association Charitable Foundation will bestow the 1997 Black Professional of the Year Award upon Mr. Steve Delano Bullock. I rise to pay tribute to Mr. Bullock upon this important occasion. I want to share with my colleagues and the Nation some information regarding the honoree.

Mr. Bullock has enjoyed a distinguished career with the American Red Cross. He was named chief executive officer and chapter manager of the Greater Cleveland Chapter in 1982. Prior to assuming this position, he worked for the Red Cross in military installations in the United States, Europe, and Southeast Asia. Mr. Bullock also previously served as executive director of the agency's St. Paul, MN chapter.

Mr. Speaker, in 1988, Steve Bullock was named chairman of the president's advisory committee, a group of senior Red Cross field executives which counsels top management on issues facing the organization. Another highlight of his career occurred in 1995 when Mr. Bullock was appointed to head the 1996 national American Red Cross campaign.

Mr. Bullock is also an active member of the Greater Cleveland community. His board memberships include the Greater Cleveland Roundtable, the Cleveland Campaign, and Leadership Cleveland. He is the chairman of the Mandel Center for Non-Profit Organizations, Case Western Reserve University Executive Advisory Network, and is the past president of the Council of United Way Services Agency Executives.

Mr. Bullock received a Bachelor of Arts Degree in History and Sociology at Virginia Union University and a Master's Degree in Business Administration at the College of St. Thomas. He has also done graduate work in urban administration; attended the American Red Cross Executive Development Institute; and is a graduate of Leadership Cleveland. Mr. Bullock and his wife, Doris, reside in University Heights. They are active members of Antioch Baptist Church in Cleveland.

Mr. Speaker, Steve Bullock will be the 17th individual to receive of the prestigious Black Professional of the Year Award. As a past recipient of this honor, I take special pride in saluting him on this occasion. I join his family, friends, and colleagues in stating that he is more than deserving of the award. I also take this opportunity to applaud the Black Professionals Association for its strong leadership and commitment. I wish Mr. Bullock and the association much continued success.

JOHN GRIESEMER POST OFFICE  
BUILDING

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. BLUNT. Mr. Speaker, I rise today to introduce a bill to designate the U.S. Post Office Building located at Bennett and Kansas Avenue in Springfield, MO, as the John Griesemer Post Office Building.

John Griesemer was born in Mount Vernon, MO, and grew up on a dairy farm in Billings, MO. He graduated from Billings High School in 1948 and he earned a bachelor of science degree in Civil Engineering from the University of Missouri, Columbia in 1953. He served as a first lieutenant, Engineering Officer in the U.S. Air Force from 1954 until 1956.

After his discharge from the Air Force, John returned to southwest Missouri to work for his family's business, Greisemer Stone Co. He served there as president and as a director until his death in 1993.

In defiance of conventional wisdom, John Griesemer balanced a successful career with family life and a dedication to community service. He and his wife, Kathleen, raised five children on a small farm just east of Springfield, MO. John was active in his church, having served as chairman of the annual Diocesan Development fund drive, member of the Financial Advisory Committee and co-trustee of the Heer-Andres Trust of the Catholic diocese of Springfield-Cape Girardeau, MO. He also served as co-chairman of the Margin for Excellence fund drive to establish an endowment and build a new Catholic High School in Springfield. John was an Eagle Scout, a Scout Master and, in later years, served on the Board of the Ozarks Council of the Boy Scouts of America. He was also involved with the Junior Achievement program.

In addition to his work with Griesemer Stone Co., John founded Joplin Stone Co. and Missouri Commercial Transportation Co., and served as president of Springfield Ready Mix Co. He was a director of Boatmen's National Bank and, in 1991 was president of the Springfield Development Council, a nonprofit subsidiary corporation of the Springfield Chamber of Commerce.

In 1984, John was named by President Reagan to serve on the U.S. Postal Service Board of Governors, which oversees the Postal Service. He was elected chairman of that Board in 1987 and 1988 and served for 3 years as its vice chairman.

In spite of his many personal achievements, John's favorite story about himself was one of personal failure. When he was 8 years old he got a job picking strawberries; at the end of the first day he had failed to meet his quota, so he was fired. In the words of his wife Kathleen, "that shows that failure is not forever." His example is one that all Americans can live by.

John Griesemer passed away in 1993, survived by his wife and five children. His legacy is one of service to his God, his country and to his fellowman through dedication to family, business and community. I ask that my colleagues join me in honoring that legacy by passing the legislation that I have offered today.

CANCER

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. HAMILTON. Mr. Speaker, I am inserting my Washington Report for Wednesday, January 1, 1997 into the CONGRESSIONAL RECORD.

PROGRESS IN THE WAR ON CANCER

Twenty five years ago this month President Richard Nixon declared a national war on cancer. One of the frequent questions put to me by constituents is, "How goes the war?" It is not an easy question to answer. Despite the glut of information on cancer these days much of the news seems destined to confuse us. The statistics pour out from the doctors and hospitals across the country but there is wide disagreement about what they really mean.

There is much good news to report. The cancer death rate fell by nearly 3% between 1991 and 1995, the first sustained drop since national record keeping was begun in the 1930s. The 1990s may well be remembered as the decade when we measurably turned the tide against cancer. Cancer certainly remains among the worst fears of Americans, but it is not the death sentence that it once was. Of more than 10 million Americans who are cancer survivors, 7 million are long term survivors having had cancer diagnosed more than five years ago.

There is, however, reason for concern. After billions of dollars in research, we still don't have a cure for cancer, and some researchers doubt we will develop a single cure. The fear of cancer is obvious. Over 40% of us will develop cancer, and over 20% of us will die from the disease. Within five years cancer will be the leading cause of death in the United States, responsible for over 6 million years of life prematurely lost each year and an annual cost to the economy of over \$100 billion.

While we may not have a cure for cancer, our cancer research efforts, led by the National Cancer Institute in conjunction with private research efforts, have produced significant incremental successes. We have a better understanding of how a normal cell changes into a cancerous one. Some forms of cancer have actually been reduced. Better treatment methods with fewer side effects are now available. Less disfiguring surgeries are being performed. The quality of life for cancer survivors has been enhanced substantially. These successes give us cause for optimism in the fight against cancer.

WHAT CAUSES CANCER?

The most striking progress we have made in cancer research over the last quarter century is our understanding of the biology of cancer, that is, how a good cell goes haywire and divides continuously. Cancer occurs when our cells divide uncontrollably resulting in the formation of a mass of tissue, otherwise known as a malignant tumor. The tumor destroys nearby tissues and organs as it grows.

We now know that cancer is linked to human genes. Scientists have discovered that altered genes or altered gene activity cause a cell to divide continuously. A person may inherit altered or abnormal genes, or acquire them through chemical or physical damage or the effects of viruses. Scientists have already discovered over 20 genes linked to cancer that run in the family. They have discovered that a particular gene, the p52 gene, can stop tumors before they grow and that this gene, if damaged, is involved in some 60% of cancers.

# CANCER DETECTION, TREATMENT, AND PREVENTION

Our increased knowledge about cancer has led to dramatic improvements in screening, detection, treatment, and prevention. We are seeing a reduction in some cancer types directly resulting from these improvements. Doctors are able to routinely screen patients for cancers like breast, cervical, prostate and colorectal cancer. These tests help detect cancer in the earlier stages of development when the likelihood of successful treatment is best.

We are also seeing progress in the effectiveness of standard cancer treatments. Most cancers are treated first with surgical removal of the tumor and surrounding tissue, followed by radiation or chemotherapy to control spreading to other parts of the body. Less damaging surgical procedures are now an option; radiation can now be administered in a precise, pinpoint fashion; and the side effects of chemotherapy are now more tolerable thanks to new medicines that combat nausea, anemia, and immune suppression. More targeted therapies are also emerging. There are some experimental anticancer drugs, for example, which are better equipped to target a malignant tumor and kill the cancer cells while avoiding the healthy ones.

Researchers also stress the importance of prevention and education in reducing the number of cancer cases. Changes in lifestyle and eating habits as well as reduced exposure to chemicals in the work place have contributed to declining cancer rates. Cancer awareness has also paid off. People are much more conscious of cancer's early warning signs and when to seek treatment.

## BUILDING ON OUR SUCCESSES

Much work remains to be done in our fight against cancer. While we are experiencing the first sustained decline in cancer mortality since the 1930's, several types of cancer are staying at the same levels or increasing, such as non-Hodgkin's lymphoma, melanoma, and brain and kidney cancers.

We must continue to strengthen our national investment in cancer research. One reason we have not made great strides in halting cancer deaths is that cancer is perhaps a hundred different diseases. It is just extraordinarily complex to deal with. The National Cancer Institute, the lead Federal cancer research body, will continue to focus its research efforts on understanding the genetic basis of cancer, improving early detection techniques, and developing better treatment methods.

## CONCLUSION

The struggle against cancer has been long and hard and has produced very few dramatic breakthroughs, but the doctors and the scientists are slowly gaining ground. We have not found the magic bullet capable of eradicating cancer and may never find it, but what we are seeing is a succession of small incremental improvements that show great promise in controlling the spread of cancer, reducing the death rate and improving the quality of life for cancer survivors. As one doctor said, "We're running a marathon, not a sprint."

Note: The National Cancer Institute provides help directly to patients, their families, and health care professionals through its cancer information toll-free telephone service at 1-800-4-CANCER.

# THE SPRINT—LA CONEXION FAMILIAR AFFAIR: JUSTICE DELAYED, AND DELAYED AGAIN

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. LANTOS. Mr. Speaker, almost 3 years ago, on July 14, 1994, a great injustice was committed by one of the most powerful corporations in America—Sprint—against some of the least powerful among us. A union representation election was underway at a Sprint subsidiary which employed 177 Hispanic telemarketers who sold Sprint's long distance services to Spanish-speaking customers. Nearly all the workers at the San Francisco Sprint subsidiary, known as La Conexion Familiar "The Family Connection" [LCF], were women who had immigrated to the United States from Mexico and Central and South America. Many of them spoke only Spanish, which was no handicap in their specialized marketing jobs.

When it became clear to Sprint that the La Conexion Familiar workers would vote to be represented by the Communications Workers of America, Sprint suddenly shut the office—just 8 days before their union election. The announcement was made over the PA system during the workday, and the workers were gathered together to be searched by guards and sent out the door. The women were so shocked and upset that paramedics had to be called to the scene, and one worker was even admitted to a hospital.

The dreams of these workers were shattered and their jobs were summarily eliminated, simply because they wanted a union, and because they believed that in the United States, our labor laws would guarantee workplace democracy and the right to organize. One young woman described her ordeal this way at a public hearing on the shutdown held last year in San Francisco: "For me, everything fell apart that day. I couldn't face being out of work. I started abusing alcohol. I was so depressed. I fought with my fiancé and I yelled at my children. After 2 years, I have another job now, but my experience at Sprint changed everything for me. I will always carry around the fear that I'll suddenly be fired for no reason."

Mr. Speaker, more than 2½ years later, the National Labor Relations Board [NLRB] finally declared that the LCF closing was an illegal action and ordered Sprint to rehire the workers to comparable jobs with full back pay. Sprint immediately appealed the decision. It is expected that it will take between 1 and 2 years for the NLRB to hear the appeal and issue a final ruling. Of course, pending the appeal, none of the former LCF workers will receive the back pay or the jobs to which they are entitled according to the NLRB ruling. By dragging out this case and refusing to take responsibility for its actions, Sprint adds another chapter in a long and unfortunate tale of abuses against the LCF workers.

It was Sprint's discriminatory treatment of the LCF workers, along with sweatshop working conditions, that first drove the workers to try to seek representation. This Hispanic LCF workers were kept in a second-class status at

Sprint—earning \$7 an hour as compared to \$11 an hour for regular Sprint telemarketers. The payment of commissions was arbitrary and discriminatory, and the workers complained. And Sprint managers restricted their visits to the bathroom, telling the workers to drink less water so they wouldn't have to go as frequently. When the workers started organizing for union representation, Sprint managers engaged in such blatantly illegal behavior to harass and intimidate union supporters that even the NLRB's investigators—investigators who have seen it all—expressed shock when they later reviewed the evidence.

During the long and drawn out legal proceedings in this case, the NLRB proved—and Sprint ultimately admitted to—scores of charges of illegal threats to close the office if workers voted for a union, of coercing workers to spy on other workers, and of interrogating and browbeating union supporters. Sprint's treatment of the LCF workers has been condemned by the Board of Supervisors of San Francisco, by dozens of my colleagues in the Congress, including the Hispanic caucus, and by government and labor officials in Mexico and Canada as well as in Germany, where Sprint is involved in a partnership with Deutsche Telekom.

Mr. Speaker, through its action, Sprint has gained itself an international reputation as a violator of our Nation's labor laws. Sprint should know that pursuing endless legal appeals is an unacceptable business practice. Unfortunately, this is a trend that is growing. I would like to include in the RECORD for the benefit of my colleagues a column by the distinguished president of the Communications Workers of America [CWA], Morton Bahr, which was published in the CWA News of February 1997. President Bahr's column, entitled "Breaking the Law, Business as Usual," provides documentation of increasing labor law violations—specifically the growing use of plant closing threats—by American corporations to defeat union organizing drives.

The column follows:

BREAKING THE LAW, BUSINESS AS USUAL

(By Morton Bahr)

As philosophers and pundits ponder the breakdown of morality, social values and respect for law and order in America, maybe they should look at the example being set by elements of corporate America, such as the Sprint Corp.

The workers at Spring/La Conexion Familiar in San Francisco were determined to organize a union. Working in what came to be exposed as an "electronic sweatshop," these Spanish-language telemarketing workers were so determined, in fact, to change their conditions that they were unfazed by Sprint's fierce, and illegal, campaign of threats and intimidation.

Their support for the union seemingly only grew stronger as Sprint's management team stepped up its campaign of illegal coercion. Finally, Sprint did the only thing it could do to crush the first incursion by a union in its long distance operations. It simply shut the doors at La Conexion Familiar on July 14, 1994, eight days before the union representation election.

About two-and-a-half years later, this past December 27th, the National Labor Relations Board ruled that the closing violated federal law and ordered Sprint to rehire the workers with full back pay.

Sprint immediately filed an appeal of the ruling to a U.S. Appeals Court. That will keep the case spinning around the legal system for at least another year and a half, and a Sprint spokesman already has predicted a further appeal to the Supreme Court if the company loses this round.

A remarkable aspect of this case is that Sprint openly, unashamedly, admitted to more than 50 illegal violations of the La Cónexion workers' rights at an earlier trial before an administrative law judge.

Knowing that it would receive no more than a wrist slap for its union-busting activities—creating an atmosphere of surveillance of union supporters, having managers interrogate workers one-on-one about the union campaign, openly threatening to shut the office if they voted for the union—Sprint's lawyer brigade brushed off these charges and focused only on the issue of Sprint's motive for the closing. That was the one issue that could provide a real, costly, remedy for the workers.

And sure enough, a slap on the wrist it was for the 50 violations. The administrative law judge's order amounted almost to a sick joke: Sprint was required to write a letter to the workers, after their office was closed for good, stating that it would not in the future violate their rights to organize a union.

Now, finally, a meaningful remedy has been ordered, but Sprint is determined to see that justice is delayed for as long as it takes. Perhaps the company hopes that some of the workers will be dead, and others scattered to the winds no longer to be found, by the time its legal appeals have been exhausted.

Clearly for Sprint, routinely violating labor laws is viewed simply as a smart strategy to enforce its acknowledged objective of remaining "union free." And its associated legal bills are merely a cost of doing business.

This attitude is not unique in the corporate world—in fact, it's becoming the norm today.

A recent study by researchers at Cornell University was inspired by the Sprint/La Cónexion Familiar case. It was the first study specifically of the impact of the threat of plant and office closings on worker union drives.

The study found that in fully one-half of all organizing campaigns, as well as in 18 percent of first contract negotiations, employers today threaten to close their facilities. And employers follow through on the threat 12 percent of the time.

This represented an increase in shutdown threats from 30 percent, as found in earlier studies by the same researchers, to 50 percent today.

The result, Cornell reported, is that worker organizing success rates are cut from about 60 percent to 40 percent when the employer threatens to close the facility.

No wonder. What more devastating weapon could an employer use to kill a union drive than to declare—"vote for the union and you lose your job?" The answer is, shut the office down even before the union election, which is what has made the La Cónexion Familiar affair stand out as a case that's being closely watched around the world.

It's somewhat ironic—and certainly must seem so to Sprint—that the La Cónexion Familiar workers have emerged as martyrs on the workers' rights battleground.

Sprint clearly thought that a group of mostly immigrant, mostly female workers who spoke only Spanish could be easily intimidated and turned away from their union campaign.

But they weren't intimidated, and I later learned why at a public hearing on the La Cónexion affair in 1995 conducted by the Labor Department. One of the workers, a woman from Peru, had testified and was subsequently asked by a news reporter: "If you knew you could lose your job, why did you keep supporting the union?"

The young woman replied: "What does risking a job matter? In my country, workers have risked their lives to have a union."

#### CONTEST WINNING ESSAY

HON. ROBERT A. WEYGAND

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. WEYGAND. Mr. Speaker, I was pleased to have Mr. Matthew Arundale, a student from Warwick, RI, who is currently attending Marymount University in Virginia join me in attending President Clinton's State of the Union Address last Tuesday.

Matt was the winner of a contest my office held that asked interested Rhode Islanders attending college in the Washington, DC, area to prepare an essay on why they wanted to attend the State of the Union Address.

While I received many entries, all of fine quality, Matt's was particularly creative. For that reason, I asked him to watch the President's address from the House gallery.

I commend Mr. Arundale's essay to all my colleagues.

I am a sophomore Political Science and Biology double major at Marymount University in Arlington, Virginia. While many students are bitten by the political bug and decide to major in political science, few decide to also pursue a career in medicine. But I have.

While this double-major may seem a bit odd, it really is not. I have always loved politics and the idea that men can work together and effect change for all. But I have also loved the idea of helping people in a more direct way: through medicine. After examining the two pursuits, one can see that they are not all that dissimilar.

Take a politician or government official. They are doctors. Their patient is not one person with one illness. Rather, their patient is a group of people with a variety of illnesses (crime, poverty, education, to name a few).

The politician's x-rays are opinion polls and late-night phone calls from his constituents. His nurses are called legislative aides and political advisors. Legislation are his prescriptions.

Every politician, whether they realize it or not, has been charged with the duties of a doctor. While one may get references from friends before they choose a doctor, the patients of politics look at debates, news conferences, and press releases before they make their choice. A two party system (quickly giving way to third party candidates) ensures that people will always have the opportunity to get a second opinion before trusting themselves to any one doctor. In the end, they hope their choice was correct.

One such political doctor is President Bill Clinton. Last November, he was charged with the duties of continuing his role as "Chief Doctor of the Nation." He has read the public opinion polls, had conferences with his advisors, and listened to peoples' grumps and groans. Now, on this Tuesday, he has to report back to the patient. President Clinton must tell a concerned nation what is

wrong and what he plans to do to change it. The patient(s) will be listening, wondering if he heard their complaints correctly. They will also be analyzing the President's suggested treatments. Then, just as the patient with high blood pressure is not sure if he is willing to quit smoking to get healthy, the nation will decide if it is willing to make the sacrifices necessary to fix its problems.

In short, I would love to be present for this report. The President is renowned for his speaking ability, so his bedside manner is unquestionable. But to see the culmination of the political triage process come together would be a momentous experience for a student who hopes to one day become a doctor, too.

Furthermore, as President of my Sophomore Class, I have been asked by FOX TV to participate in an interview on the effect of President Clinton's educational incentive plans on college students. I can think of no better way to garnish first-hand information for this interview than to be in the House of Representatives while Clinton outlines his proposals.

Finally, I know I can never take your wife's place, but, I voted for you!!

#### THE PATIENT FREEDOM OF CHOICE ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. STARK. Mr. Speaker, I am pleased to introduce the Patient Freedom of Choice Act of 1997.

Previously, I have sponsored legislation that restricts physicians from self-referral because this practice leads to overutilization and increased health care expenses. This legislation is designed to rectify a similar problem.

Today, nonprofit hospitals, for-profit hospitals, and large health care conglomerates have acquired their own posthospital entities such as home health care agencies, durable medical equipment businesses and skilled nursing facilities so as to refer discharged patients exclusively to their own services. As a result, many nonhospital based entities have seen inflows of new patients completely halted once a hospital acquires an agency in their service area.

The effects of this self-referral trend are harmful. Hospitals that refer patients exclusively to their own entities eliminate competition in the market and thereby remove incentives to improve quality and decrease costs. Further, hospitals are able to selectively refer patients that require more profitable services to their own entity while sending the less profitable cases to the nonhospital based entities. The nonhospital entity is forced to either raise prices or leave the market. Worst of all, patients have no voice in deciding which entity provides the services.

This legislation remedies the problem by leveling the playing field. First, hospitals will be required to provide those patients being discharged for post-hospital services with a list of all participating providers in the service area so that the patient may choose their provider.

Second, hospitals must disclose all financial interest in post hospital service entities to the Secretary of Health and Human Services. In addition, they must report to the Secretary the percentage of post hospital referrals that are

made to their self-owned entities as well as to other eligible entities. A hospital that fails to comply with the bill's requirements would be subject to a civil money penalty of \$10,000 for each violation.

This legislation does not hinder a hospital's ability to offer its own services. It merely guarantees that all providers will have an opportunity to compete in the market. Most importantly, it guarantees that patients will have choice when selecting their provider.

I am drafting a similar bill for introduction later this year which would require that all providers—not just hospitals—give freedom of choice to Medicare and Medicaid beneficiaries. I see no reason why a patient should be held captive to a provider's preference for referral—it should be the patient's choice. For example, home health agencies who refer clients to nursing homes should provide the beneficiary with a complete list of all Medicare-Medicaid certified nursing homes in the area in which the patient resides. This requirement would ensure that all Medicare and Medicaid beneficiaries are given a choice of provider regardless of referral source.

Additionally, I will add to the next bill a third party cause of action which would allow these providers to bring suit against hospitals for failing to adhere to the proper discharge planning process.

Attached is a letter that typifies the current problem in the home health services market.

VISITING NURSE ASSOCIATION

OF GREATER PHILADELPHIA,

December 1, 1995.

Re *United States v. Heartland Health Systems Inc.* Civil Action No. 95-6171-CV-SJ-6.

Ms. GAIL KURSH,

Chief, Professions & Intellectual Property Section/Health Care Task Force Antitrust Division, U.S. Department of Justice, Washington, DC.

DEAR MS. KURSH: I am writing to urge that the Justice Department not consent to the proposed final judgment in the above-referenced case, because the "Referral Policy" regarding provision of home health care does not adequately protect patient choice and fair competition.

The VNA of Greater Philadelphia is the largest home health agency in Pennsylvania. We are a non-profit, community-based agency which has served communities in southeastern Pennsylvania, including the City of Philadelphia, for 110 years. We provide home health services to approximately 2,000 patients a day, many of whom are Medicare and/or Medicaid patients referred for care directly following an episode of hospitalization.

Patient choice and fair competition are protected by both Medicare and Medicaid law and by antitrust provisions. The proposed Heartland referral policy undermines these protections. Heartland would have no obligation to provide reasonable information about other home health providers in the community for patients who have expressed no provider preference. Telling a hospitalized patient that there are other providers listed in the telephone book and then giving the patient "time to investigate", all in the context of the Heartland representative extolling the virtues of its home health service, clearly encourages steering patients to the hospital-owned agency. Further, a policy of stonewalling patient's requests for information about other providers, places the discharge planning staff in the position of denying knowledge that they actually have about alternate providers. This clearly undermines continuity of care for patients.

Although the Heartland consent decree may have no formal precedential impact, in practice this decree could have far-reaching, negative impact on patients and on independent providers, including visiting nurse associations, because it would send a clear signal that anti-trust and patient choice protections are no longer to be taken seriously.

We urge that you require a more aggressive policy to assure that vulnerable, hospitalized patients truly have access to the information they need to make an informed choice of their home health provider.

Sincerely,

STEPHEN W. HOLT.

## THE INAUGURAL ADDRESS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. HAMILTON. Mr. Speaker, I am inserting my Washington Report for Wednesday, January 29, 1997 into the CONGRESSIONAL RECORD.

PRESIDENT CLINTON'S INAUGURAL ADDRESS

The inauguration of a President is one of the great rituals of American democracy. It shows our country's peaceful transition of power every four years, and it is a time for our nation to unite after the divisions of the previous term. A President's inaugural address is important because it sets the tone of his administration. Several themes stood out to me as President Clinton took the oath of office in the last presidential inauguration of the 20th century.

### OPTIMISM

One theme was optimism about the future. The President said that the nation stands "on the edge of a bright new prospect in human affairs". He has hopeful visions of a "new century in a new millennium", and said we should "shape the hope of this day into the noblest chapter in our history". It is clear that he sees his presidency as an opportunity to guide America through the challenges of the next few years into a "land of new promise" in the next century.

Moving into the "land of new promise" was highlighted several times, almost as his central, unifying theme for his second term. I have been impressed by how much the President's attention is in the year 2000 and the new century. President Clinton is very much focussed on the history books. He sees the country as being at a turning point, and he remembers that the great turn-of-the-century Presidents—Thomas Jefferson and Theodore Roosevelt—governed a country undergoing profound changes and created opportunities that altered the course of history.

He wants to do the same. He wants to lead the country through the transition into the next century, all the time keeping the American dream of opportunity alive. He called for a new spirit for a new century, with Americans working together to build "a nation ever moving forward, toward realizing the full potential of all its citizens." He clearly believes America has a lot of assets for its leadership role for the rest of the world. He referred to America as the "indispensable nation", with the strongest economy on earth and building stronger families and thriving communities.

The President's clear sense of optimism dominated the address, and it was important to hear. But I think the President missed an opportunity to educate the American people about the tough choices that must be made preparing for the future.

### RECONCILIATION

Another major theme in his address was reconciliation. The President urged Americans to bury racial and political divisions and urged a new spirit of community. The inauguration's coming on Martin Luther King Jr. Day added strength to the President's appeal for racial healing. He spoke of the divide of race as being "America's constant curse".

He also appealed for an end to the partisan squabbling in Congress, and that sentiment was very well received by Americans who are weary of the constant bickering. The President quoted the late Cardinal Bernadin saying, "It is wrong to waste the precious gift of time on acrimony and division." In perhaps the most memorable line in the address, he reminded us that "America demands and deserves big things from us, and nothing big ever came from being small".

The President believes that if the country can come together and put the divisions aside, it can work together toward unparalleled prosperity and freedom for ourselves and for the rest of the world. The President's theme of reconciliation is the right one, but I do wish he had done more to challenge Americans to care more and do more for those less fortunate. We have a time of remarkable prosperity in the country, but there are very wide disparities. I think it is appropriate for the President to urge that more of us think about the common good and contribute to it.

### ROLE OF GOVERNMENT

Another theme was the role of government. I was struck by the sentence in his address that "we have resolved for our time a great debate over the role of government". Since the beginning of our republic, the great question of American democracy has been over the role of government in the country. The President updated former President Ronald Reagan's declaration sixteen years ago that "government is not the solution to our problem, government is the problem". President Clinton challenged that by saying, "Today we can declare government is not the problem, and government is not the solution. We, the American people, we are the solution." Here he reflected the view that most politicians have picked up recently from their constituents, that government is something more than the enemy of the people.

The President's view of government is that it should not attempt to solve people's problems for them nor should it leave them alone to fend for themselves. He wants a government that gives people the tools to solve their own problems and to make the most of their own lives. Like most Americans, he likes the idea of a government that is smaller, lives within its means, and tries to do more with less.

I wonder whether the President is overly optimistic in believing that his first term largely settled the debate over the role of government. My sense is that this is the central issue of American politics and it is not going to go away. His formulation of the role of government in his address was broad enough and vague enough to get most everyone's approval, but it may be too broad and vague to resolve a variety of questions about the role of government.

### CONCLUSION

I think President Clinton worked very hard to state the essence of his convictions and his purpose as President. His desire to lead the country in its transition into the new century and the "land of new promise" was clear to all who heard his address.

Perhaps some were looking for sweeping policy initiatives or bold new programs, but

the President really has little choice at this point. There is a shortage of federal funds; the American people do not want new taxes; and the major problems of government in recent years have been to restrain spending on current programs. Some criticize the address for not grappling with the tough problems that face the nation, like campaign finance reform, bringing entitlement spending under control, and improving the educational system. The President offered very few specifics, but I am not at all sure that such detailed proposals belong in an inaugural address. Those items are better left for the State of the Union address and other presidential speeches. The President wanted to use his second inaugural address to spell out his broad vision for our nation's future.

HONORING DR. SOLOMON STINSON  
FOR 36 YEARS OF OUTSTANDING  
AND CONTINUED SERVICE TO  
DADE COUNTY PUBLIC SCHOOLS

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mrs. MEEK of Florida. Mr. Speaker, on February 26, Van E. Blanton Elementary School will honor Dr. Solomon Stinson, Chairman of the Dade County School Board, as a "Living Legend." It is my great pleasure to join Dr. Stinson's family, friends, coworkers, and students in recognizing his 36 years of outstanding and continued service to our community. I know my colleagues will join me in congratulating Dr. Stinson for his dedication as an educator, a role model, and a mentor who helped shape thousands of children in my district.

Dr. Stinson earned a Bachelor's degree in social studies, mathematics, and science certification from Alabama State University, a master's degree in school administration and supervision from the University of Iowa, and a doctoral degree in school administration from the University of Iowa. He also received a certification in elementary education from the University of Miami and a certification in adult education from Florida State University.

Dr. Stinson began his career by teaching at Holmes Elementary School. He quickly advanced to become the assistant principal at Rainbow Park and North Grade Elementary Schools, and later principal at North Grade and Lake Steven Elementary Schools. Dr. Stinson distinguished himself as an outstanding administrator in the position of assistant superintendent of the Bureau of Business Services with the Dade County school system. He served in several other important positions in the Dade County public school system, including area superintendent of the north central district; associate superintendent and later senior associate superintendent of the bureau of school operations; and deputy superintendent of school operations for Dade County public schools. Today, Dr. Stinson continues his outstanding record as a school board member for District 2 and Dade County school board chairman. We are fortunate that Dr. Stinson devoted his life to ensuring quality education for all our children.

In addition to his many years as an educator, Dr. Stinson has been extremely active in other areas of our community. He is a member of Mount Tabor Baptist Church, where he serves as chairman of the board of trustees

for the last 6 years. He also chaired the Hurricane Trust Fund and the Red Cross Committee. Dr. Stinson is a member of the board of directors of jobs for Miami, and a committee member and council advisory board member of the Boy Scouts of America. His exceptional, notable service, and commitment to Dade County has included dozens of positions in numerous organizations, earning more awards than I can list here.

Dr. Solomon Stinson has proven to be a "Living Legend," and an excellent role model for our children. Mr. Speaker, on behalf of my entire community and as a former educator myself, I offer him my deepest thanks for his many years of dedicated service, and our best wishes for his continued success.

GEORGE FELDENKREIS AND  
FAMILY TO BE HONORED

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to join with The Simon Weisenthal Center in recognizing the achievements of Mr. George Feldenkreis and his family.

On Sunday, March 16, 1997, the Simon Weisenthal Center will be celebrating this family's remarkable story. Thirty-six years ago, George Feldenkreis escaped the Castro dictatorship to come to the United States. With him were his one-year-old son, Oscar, and a daughter, Fanny, on the way.

Like the thousands of refugees from oppression who came before them, all the Feldenkreis family members brought with them was a capacity for hard work and the desire to realize the American dream. Years of struggle were rewarded by success in the business world and the respect of his peers. George Feldenkreis, as head of Supreme International, is a leader in the American apparel industry. Additionally, he heads Carfel Inc., which deals with the importation and distribution of auto parts.

George Feldenkreis chose to give back to his community by lending his considerable talent and energy to civic causes. He served as a leader for Temple Menorah and the Hispanic Heritage Committee, as well as president of the Cuban Hebrew Division of the Greater Miami Jewish Federation for 7 years. He currently serves as a vice president of the federation.

In addition to giving their father six grandchildren, both of George Feldenkreis's two children, together with their spouses, contribute to the success of the family enterprises. Oscar serves as president and CEO and Fanny and her husband, Salomon Hanono, also serve in prominent positions in the firm. Oscar and his wife, Ellen, together with Fanny and her husband also carry forward the family tradition of service. Fanny and Salomon give their time to the Michael Ann Russell Jewish Community Center and the Samuel Hillel Community Day School. Oscar and Ellen work on behalf of Temple Menorah, the Lehrman Day School and Israel Bonds.

Mr. Speaker I ask the House to join with me and The Simon Weisenthal Center in recognizing a family whose achievements have realized the American dream.

TRIBUTE TO CONGRESSMAN  
FRANK TEJEDA

SPEECH OF

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 5, 1997*

Mr. SERRANO. Mr. Speaker, it is always difficult to say goodbye to dear friends, to those who have given so much and so unselfishly to their communities and to our Nation.

Our colleague Frank Tejada was one of those men who are born to carry the torch for others to follow. His life is a testimony of courage, service, generosity, and integrity.

Throughout his life he stood up against adversity. After dropping out of high school, he enlisted in the Marines. His exceptional military training and courage served him well in Vietnam; he was awarded with the Bronze Star and Purple Heart, and most recently the Silver Star.

After 4 years of military service, Frank completed a bachelor's degree at St. Mary's University in San Antonio. He continued his education at the University of California at Berkeley, where he obtained a law degree. His desire to improve himself and to be of service to the best of his abilities encouraged him to obtain two masters degrees, one in public administration from Harvard University and a second one in law from Yale University.

As a lawyer serving in the Texas House and later in its Senate, he defended the rights of the most vulnerable. He fought for worker's compensation reform and for other initiatives for minorities.

His hard work and his understanding of his community in San Antonio, TX, gained him their overwhelming support to represent them in the U.S. House of Representatives. As a Member of Congress and of the Congressional Hispanic Caucus, Frank works relentlessly to secure veterans' rights and access to education and health care for the poor.

Frank always stayed close to the people he loved: his family, friends, and his community back home. In his later years, he fought his terminal illness with the same courage and dignity that exemplified his life.

To Frank Tejada's family and friends, I would like to extend my deepest sympathy in this trying time. I would like to join all who had the privilege of knowing him in paying tribute to our American hero, Frank Tejada, for serving his community, his State, and his Nation with the courage, generosity, and dignity of great men of history.

WYOMING GRAZING PRIVILEGES

HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mrs. CUBIN. Mr. Speaker, Jackson Hole, WY, is one of the most beautiful and unique areas of our Nation. Over 3 million visitors per year come to hike, camp, ski, and sightsee amidst the grandeur of the Teton Range and the winding Snake River in Grand Teton National Park and the greater Yellowstone area beyond. Many wildlife species such as moose, bear, eagles, and trumpeter swan make the

valley their home, while the largest elk herd in the lower 48 States annually migrates through it to winter on the wildlife refuge at its southern end.

While much of the valley is protected for perpetuity in Federal ownership, some of the most valuable wildlife habitat, migration routes, and scenic vistas remain in private ownership as working ranch lands. Conservation groups in Jackson Hole and around the country have worked for years to help protect these ranches from development through the use of scenic easements and other means and are to be commended for their good work.

Unfortunately, we now face a situation where some of the most scenic and valuable ranch lands adjacent to the park could be forced to sell and subdivide. In 1950, the law establishing Grand Teton National Park allowed local grazing permittees whose livestock had historically used the new park lands for summer range to continue that grazing for the life of the permittees' designated heirs. As a result, 14,000 acres were set aside, irrigated, and fenced for the benefit of these permit holders who, in turn, paid grazing fees at the required rate.

Since that time, development pressures have grown enormously. One of these permit holders has already sold his ranch, which became a major subdivision of middle-class houses. Meanwhile real estate prices continue to skyrocket and intense development pressure has focused on the remaining permit holders.

In June of last year, a dear friend of mine, Mary Mead, died in a tragic accident doing what she loved best: working on her cherished ranch. Mary was the designated heir to her family's grazing permit on the Grand Teton National Park. Legally, with Mary's death, the grazing permit would be terminated. However, without this permit the Mead family, along with former U.S. Senator Cliff Hansen—father of Mary—would no longer be able to maintain their cattle operation and ranch. Without the park's summer range on which all of their cattle depend, the family would almost certainly be forced to sell their livestock and the ranch, which would in all likelihood be immediately subdivided and developed. This tragic loss would not only destroy open space and scenic vistas but could also adversely impact wildlife habitat and migration patterns as well as the integrity of the park's greater ecosystem.

For these reasons, the family has requested consideration of an extension of their grazing privilege. In return, they are committed to working with the National Park Service and others to actively explore options to preserve their ranch lands. I, too, am dedicated to maintaining the highly valuable open space and ranching culture in this vicinity of the park. An extension of grazing privileges would allow time to explore a network of relationships and avoid the indiscriminate development that could occur on these pastoral lands.

The legislation I am introducing today, written in cooperation with Superintendent Jack Neckles of Grand Teton National Park, authorizes a study which will determine the significance of ranching and the pastoral character of the land, including open vistas, wildlife habitat, and other public benefits. It calls for the Secretary of the Interior to work with the Secretary of Agriculture, the Governor of Wyoming, the Teton County commissioners, affected land owners, and other interested mem-

bers of the public, to submit a report to Congress that contains the findings of the study.

With the participation of the interested parties I am hopeful that the study will find open spaces to be an essential dynamic for wildlife in and around the greater Grand Teton National Park system and for all of us who live and desire the wide open spaces.

I commend this legislation to my colleagues and urge their support for its prompt enactment.

## TV RATINGS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. HAMILTON. Mr. Speaker, I am inserting my Washington Report for Wednesday, January 22, 1997 into the CONGRESSIONAL RECORD.

### THE NEW TV RATINGS

The television industry is now implementing a voluntary plan to rate TV programs. Concern about violent and vulgar programming is broad and well-founded: studies have indicated that over half of all television shows contain violence which can encourage children to behave violently.

But there is far less agreement on how to best limit children's exposure to violent programming. I think it is important to alert parents to sensitive material that they may not want their children to view. My hope is that a good rating system coupled with technological advances will help parents monitor their children's television viewing.

The rating system: With my support, Congress last year enacted a law which gave broadcasters until February 8, 1997 to establish a voluntary rating system. The law also requires all newly manufactured TVs with 13-inch or larger screens to include a "v-chip." A TV program's rating could then be electronically transmitted to the v-chip, allowing parents to program their television sets to block certain shows. The Federal Communications Commission (FCC) must develop regulations to implement the v-chip requirement.

The TV rating system, developed by the broadcast and cable networks, is modeled on the motion picture rating system, and includes six different ratings: two for programs designed for children, and four for other programs:

TV-Y: Programs with this rating are considered suitable for children of all ages and specifically designed for a very young audience, like "Barney and Friends."

TV-Y7: Designed for children age 7 and above, whose developmental skills generally enable them to distinguish between make-believe and reality, these programs could include mild physical or comedic violence. An example could be "Mighty Morphin' Power Rangers."

TV-G: This rating is intended for programs not specifically designed for children, but which most parents would find suitable for all ages. Programs contain little or no violence, no strong language, and little or no sexual dialogue or situations. Example: "Dr. Quinn, Medicine Woman."

TV-PG: Parental guidance is suggested for programs with this rating. The programs could contain some suggestive sexual dialogue and situations. Many situation comedies might fit into this category.

TV-14: Parents are strongly cautioned against letting children under the age of 14 watch these programs unattended. These

programs may contain sophisticated themes, sexual content, strong language and more intense violence, like "ER" or "NYPD Blue."

TV-M: These programs are suited for adult audiences only, due to mature themes, profane language, graphic violence and explicit sexual content. Unedited R-rated movies, which run on some cable premium channels, would likely get this rating.

The ratings apply to all programs except sports and news, shown on broadcast or cable channels. Each episode of a TV series is rated separately. Ratings appear in the upper-left hand corner of the television screen at the beginning of a program is more than an hour in length. The television industry has requested that newspapers and TV Guide include the ratings in their TV listings.

One of the greatest challenges in implementing the new ratings is the volume of programming. Motion pictures are rated by an independent board which reviews about two films per day. In contrast, TV ratings must be assigned to 2,000 hours of programming each day. For this reason, television networks, producers, and distributors are responsible for assigning ratings to their programs. An oversight board will review the application of the ratings for uniformity and consistency. The board will also solicit comments from the public.

Potential pitfalls: The new rating system has been criticized on several fronts. Some fear that advertisers will be leery of sponsoring programs that receive certain ratings, thereby driving some critically acclaimed programs off of the air. Others argue that the rating system will lead producers to show even less restraint than they do now.

Some critics favor a more detailed rating which would indicate the levels of sex, violence, or foul language contained in a program, using a scale of 0 through 5. Under this system, a program might receive a rating of S-2, V-1, L-3. Supporters of this system contend that it would give parents more useful information, and offer as examples Showtime and HBO, two premium pay cable channels which offer similar ratings. However, supporters of the current rating system counter that the S-V-L system is logistically impossible, given the volume of programming, and also more difficult to apply consistently. They also argue that paralleling the familiar movie-rating system assures that parents will understand the ratings, and note that Canada recently abandoned S-V-L ratings because they were too complex.

Commercials will not be covered by the new ratings system, though critics point out that even children watching "family friendly" shows can be inappropriately exposed to advertisements for violent movies or alcohol. Some critics also believe the TV industry is incapable of rating its own programs fairly.

Assessment: Given the pervasive influence of television, I think we should do what we can to make that influence positive for children. The proposed system is far from perfect. My guess is that parents are going to need more information; the age-based format of the ratings simply will not alert parents sufficiently to the specific violent or sexual content of TV programs. But I do think the new rating system represents at least a good first step, and it should be tested. It is far more desirable for the industry to devise the rating system than have government censorship.

Monitoring children's television viewing is no small task. After all, most parents want not only to steer their kids away from harmful programming—which ratings can help them do—but towards programming that is educational and meaningful. And television



represents only one piece of the puzzle—parents still have to contend with music, video games, Internet sites, and movies which may be inappropriate for kids.

I think our goal should be to make available whatever information and technology is helpful to parents. Neither a rating system nor government regulations can—or should—substitute for the good judgment of parents.

#### TRIBUTE TO HAROLD G. HALL

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. COYNE. Mr. Speaker, on Wednesday, February 19, 1997, Harold G. Hall will receive the prestigious Metcalf Award at the 113th Annual Banquet of the Engineers' Society of Western Pennsylvania. The award is named for William Metcalf, ESWP's first president (1880–81) and is presented each year to an individual who has made significant lifetime contributions in the field of engineering.

Harold G. Hall was born and raised in Pittsburgh, PA. He entered Penn State University to pursue a degree in ceramic engineering, but left college to enter the U.S. Army Air Force where he became a pilot in the Alaskan theater. After 3 years in the service, he returned to Pittsburgh and earned his degree as a mechanical engineer at Carnegie Tech (now Carnegie-Mellon University).

Mr. Hall founded Hall Industries in the 1960's. His interest in manufacturing led him to help other small manufacturers who were devastated by the crash of the steel industry in Pittsburgh, and Hall Industries became a collaboration of 11 small companies which had been struggling to stay in business.

Today, Hall Industries has three facilities in western Pennsylvania and one in Greenville, SC. Its 120 employees serve national markets in the aviation and rapid transit industries, and they also produce precision industrial parts. Hall Industries has also been coordinating engineering studies by Lockheed Martin, the Pennsylvania Maglev Corp., Sargent Electric, Union Switch and Signal, P.J. Dick Corp., and Mackin Engineering that are part of an initiative to develop a magnetic levitation transportation system in Pittsburgh.

Mr. Hall continues to contribute his expertise to Hall Industries and to other companies. His next project is the evaluation of a machine facility in Beijing, China.

Harold G. Hall joins a large, distinguished group of previous Metcalf Award winners. He is an individual of gifted insight, imagination, and special abilities. He is richly deserving of this award. I commend him on the occasion of this notable achievement.

#### ESSENTIAL HEALTH FACILITIES INVESTMENT ACT OF 1997

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. STARK. Mr. Speaker, today I am introducing the Essential Health Facilities Investment Act of 1997. This legislation will provide a financial helping hand to those hospitals and

health centers that are in the front lines of dealing with our national health care crisis. This legislation allows for the expansion of community health services and the capital needs of safety-net health care facilities while at the same time attempting to limit the further duplication of unnecessary high technology services.

This bill is similar to legislation that was introduced in the 103rd and 104th Congresses and which was included in the national health reform legislation that was approved by the Ways and Means Committee. It is my hope that this new Congress will work toward passage of this bill.

At a time when we are faced with continually shrinking budgets and fiscal austerity, it is more important than ever to appropriate Federal moneys in the most cost-effective manner available while providing the most benefit to all our citizens. In terms of health care, this includes establishing and expanding community health programs designed to provide low-cost primary care to underserved populations to avoid subsequent high-cost emergency room visits. In addition, we must help to support those not-for-profit and public hospitals that deal with a disproportionate number of uninsured patients. In one comparative analysis, urban public hospitals averaged over 19,000 admissions, 242,000 outpatient visits, and nearly 4,000 live births per hospital. The urban private hospitals in the same areas registered just 7,000 admissions, 50,000 outpatient visits, and 760 live births. These safety-net facilities—the public and not-for-profit hospitals that serve a disproportionate share of uninsured and low-income patients—are in essence the family doctor for many in our country. Though it would be far better to incorporate the uninsured into our national insurance pools and give them access to any health care facility they choose to visit, the stark reality is that they are dependent upon these safety-net hospitals for any and all of their health care.

But the importance and benefits associated with public hospitals do not end there. In addition to caring for our Nation's most vulnerable populations, these hospitals provide a great deal of specialty care to their communities. Services such as trauma, burn units, and neonatal intensive care units are frequently found in these hospitals. Many of these services are too costly for other hospitals to provide.

These hospitals are expected to provide quality care under extraordinary circumstances. As an example, they are frequently confronted with tragedies associated with our Nation's obsession with guns. Roughly half of all urban safety-net hospitals are equipped with a trauma center and serve as the first-line treatment facilities for victims of gun violence. The Federal Centers for Disease Control and Prevention predict that, by the year 2003, gunfire will have surpassed auto accidents as the leading cause of injury and death in the United States. Unlike victims of auto accidents who are almost always privately insured, 4 out of 5 gunshot victims are on public assistance. More than 60 urban trauma centers have already closed in the past 10 years. This means that less than one-quarter of the Nation's population resides near a trauma center. Gunshot wounds account for fewer than 1 percent of injuries in hospitals nationwide, yet account for roughly 9 percent of in-

jury treatment costs. It is estimated that for every 1 of the 40,000 patients who die from a gunshot wound annually, 3 others suffer injuries serious enough to require hospitalization.

Serving as a safety-net hospital and community provider places public hospitals at great financial risk. With threatened cutbacks and changes in the Medicare and Medicaid programs, coupled with tightened local budgets, public hospitals face an erosion of traditional sources of funding. Additionally, changes in the health care market, particularly the evolution of managed care and increased competition among providers, have further added to the financial pressures faced by these hospitals. Managed care's ability to attract tougher competition to the health care sector has decreased the urban safety-net hospital's ability to cost-shift some of the heavy losses incurred while providing uncompensated care. As a result, according to a June 1996, Prospective Payment Assessment Commission [ProPAC] report, hospitals in urban areas with high managed care penetration saw their payment-to-cost ratio decrease by 2 percent from 1992 to 1994. Declining margins have resulted in many urban hospitals cutting their level of charity care. In fact, ProPAC found that uncompensated care fell by 4.5 percent during the same time period. This represents clear evidence that more and more of the burden for providing charity care is being shifted to the public safety-net hospitals.

As safety-net providers, public hospitals have historically provided large amounts of uncompensated care. In 1995, for instance, 67 of the member hospitals of the National Association of Public Hospitals [NAPH] provided \$5.7 billion in bad debt and charity care, averaging \$85,060,641 per hospital. Additionally, bad debt and charity care charges represented 25 percent of gross charges at these hospitals in the same year. According to data from the American Hospital Association [AHA], \$28.1 billion in bad debt and charity care was provided nationwide. The NAPH member hospitals represent less than 2 percent of hospitals in the U.S., yet provide over 20 percent of bad debt and charity care nationally.

During the last 15 years, public hospitals have been shouldering a greater portion of the uncompensated care burden. Additionally, private hospitals have begun competing for Medicaid patients which further erodes support for the public providers. Public hospitals rely heavily on payments from Medicare and Medicaid patients to cross-subsidize care for the indigent. As dollars from these programs move from the public to the private hospitals, the ability to function as a safety-net provider is severely tested.

#### OUTLINE OF THE ESSENTIAL HEALTH FACILITIES INVESTMENT ACT OF 1997

In title I of this legislation, Medicare's Essential Access Community Hospital Program [EACH] would be expanded to all States and a new urban Essential Community Provider Program [ECP] would be created. Funding would be provided for the creation of hospital and community health clinic networks that improve the organization, delivery, and access to preventive, primary, and acute care services for underserved populations.

In title II, financial assistance for capital needs would be provided by the Secretary of HHS to safety-net facilities which serve a disproportionate share of uninsured and low-income patients. Funds for this legislation would

be provided by a one-half percent on hospital gross receipts tax.

In title III, financial and technical assistance would be provided to States engaged in review of capital expenditures for health care facilities and high technology equipment. Consideration of alternative, less costly, and existing services would be considered before any funds would be distributed.

#### REBUILDING THE URBAN SAFETY NET

Even though these essential access facilities fulfill a pivotal role in our Nation's health care system, their infrastructure suffers from gross neglect and under-investment. The buildings and systems that comprise the safety net are often antiquated. Without future re-investment, the inequities in this system will continue to grow, causing even more of America's underprivileged population to be medically abandoned.

The average age of the physical plant of urban, public hospitals is nearly 27 years, compared to a national average for all hospitals of 7 years. The average capital expenditure for urban hospitals is \$12,800 per bed compared to a national average expenditure for all hospitals of \$23,700.

A national survey of the Nation's safety-net hospitals found that lack of available hospital beds is resulting in severe overcrowding. Hospital corridors surrounding emergency rooms have begun to resemble triage units seen at the height of military campaigns. A recent study showed that approximately 50 percent of the hospitals in the three most severely impacted areas, Los Angeles, Detroit, and New York were forced to restrict emergency department access over 25 percent of the time. This is occurring despite the fact that occupancy rates of all hospitals have steadily declined during the last decade and are now barely above 60 percent. The average occupancy rate for safety-net hospitals is roughly 82 percent, with some reporting 100 percent occupancy, while private urban hospitals averaged just 67 percent. At any given time, approximately one-third of America's 924,000 hospital beds are empty. Our national priorities have created an excess of beds in areas where need doesn't exist. Likewise, a severe shortage has been created in areas where demand is overwhelming. This bill attempts to address and alleviate some of the pressure built up within the safety-net system.

Historically, health care institutions have found it difficult to secure sufficient financing for capital renovation and expansion products. The financing exists within the market, yet the level of debt service required is often too burdensome for public institutions to manage. Even when revenue bonds are supported by local means, the bond ratings are frequently too low and interest rates too high. After all, these safety-net hospitals treat a high proportion of low-income patients which results in lower operating margins. These ratings have little to do with the ability of hospital administrators to manage their facilities. Rather, market analysts often consider the local appropriations sustaining these facilities to be too uncertain. Thus, the facility is simply prohibited from securing necessary capital.

For facilities facing the greatest demand in our inner-city and rural areas, the traditional method of financing through Federal funding is

no longer available. Many of these facilities were originally built with grants or loans under the Hill-Burton Program. These funds have not been available for years. The lack of Federal dollars available to repair and rebuild these facilities, combined with the strain on the resources of local governments, means that the capital needs of safety-net facilities have gone unmet.

This legislation does not propose that the Federal Government take on a massive rebuilding program like the Hill-Burton Program. Nor does it propose that the Federal Government take sole responsibility to solve this problem. However, this legislation is designed to support State and local efforts to upgrade the capacity of these facilities. In drafting this bill, we recognized that the Federal Government has limited resources it can tap for this purpose. Therefore, funding for this program would be achieved through a 0.5 percent—one-half of 1 percent—tax which would be levied against the gross revenues of all hospitals. Hospital revenues received from Medicaid would be exempt from the tax.

Revenue from this relatively modest trust fund would be used by those inner-city and rural facilities across America with the greatest need for assistance. Eligible facilities would include those designated as essential access community hospitals, rural primary care hospitals, large urban hospitals, and qualified health clinics that are members of community health networks.

Assistance from the capital financing trust fund would be provided in the form of loan guarantees, interest rate subsidies, direct matching loans, and in the case of urgent life and safety needs, direct grants. The Federal assistance would be used to leverage State and local government and private sector financing. Repayment would be made back to the trust fund.

For fiscal years through 2002, \$995 million will be made available each year through the capital financing trust fund for these safety-net facilities.

With relatively limited resources available to meet the significant health facility infrastructure needs across the Nation, decisions to finance the reconstruction, replacement, or acquisition of facilities and equipment must be made only after first considering whether existing service capacities could be tapped to meet the needs of the underserved more effectively. The next section of this bill is designed to ensure that the capital expenditure decisions supported by this legislation are considered within the context of the entire community's needs and capacities.

#### MAXIMIZING CAPITAL RESOURCES

Many communities, especially those in rural and inner-city areas, lack the facilities and equipment necessary to adequately meet the needs of their residents at the same time that other hospitals are experiencing a capital oversupply. This oversupply leads to inflationary price pressure. The Essential Health Facilities Investment Act of 1997 will expand medical services to those in need only if the planning authorities feel that the current local medical facilities are unable to meet the needs of the community. In addition, this bill specifically states that only projects that will lead to

an increase in the quality of care rendered will be funded. In other words, requests for frivolous, redundant facilities will be denied funding.

One area of oversupply is hospital beds. According to the "Dartmouth Atlas of Health Care," published by the Dartmouth Medical School in 1996, there were more than 827,000 acute care hospital beds in the United States in 1993. The average number of beds per thousand residents was 3.3. Following adjustments for demographic differences, the number of hospital beds per thousand persons varied by a factor of 2.8 across the Nation. The range was from fewer than 2 beds per thousand residents to more than 5 beds per resident. Some of the hospitals with this excess capacity could be closed, or at the very least, denied additional public capital improvement funds. Still, we must also make every effort to ensure that every geographic and community area receives adequate hospital services. In order to avoid exacerbating the current oversupply of hospital beds, we must establish and satisfy safeguards and criteria for the allocation of Capital Financing Trust Fund, EACH, and ECP funds.

Redundancies and inefficiencies with hospital facilities and services are well known. A study in the *Annals of Internal Medicine* showed that even though America had 10,000 mammography machines at the time of the report, we essentially used only 2,600 of them. This same study asserts that even if every woman in America had a mammography every time the American Cancer Association suggested it was appropriate, we would use only 5,000 of the 10,000 functioning mammography machines.

In addition to a vast waste of valuable resources, this excess capacity can be considered detrimental to the health of patients. Applying the guidelines endorsed by the American Hospital Association and the American College of Cardiologists, 35 percent of the open-heart surgery centers in California perform less than the minimum number of procedures required to achieve an acceptable level of competency and quality. We should not reward those hospitals that insist upon maintaining high cost, redundant, tertiary care services that fail to maintain a minimum level of quality. Admittedly, the availability of reliable outcome studies covering high technology procedures is limited, but there exists reputable data concerning hip replacement surgery and coronary artery bypass surgery [CABS] success factors. The October 25, 1995 issue of the *Journal of the American Medical Association* cites a study titled "Regionalization of Cardiac Surgery in the United States and Canada" which shows that:

In California, age and sex-adjusted mortality rates in hospitals performing 500 or more CABS operations per year were 49% lower than in hospitals performing fewer than 100 CABS operations \* \* \*

Hip replacement surgery data and this coronary artery bypass surgery study effectively demonstrate a direct correlation between the volume of procedures performed and the resulting success rates.

I propose that in order to be considered for Medicare reimbursement, a coronary artery

bypass surgery hospital must meet the minimum criteria for quality outlined by the Secretary in the Medicare Centers of Excellence for CABS operations. Expanding on this idea, I suggest that any hospital wishing to improve a tertiary care service using resources in excess of \$1 million from the Capital Financing Trust Fund must not only demonstrate that they are indeed a safety-net health care provider, but also meet standards of quality for that particular service outlined by the Secretary. As additional reliable outcome studies for other expensive, capital-intensive services become available, disbursement of Capital Financing Trust Funds for improvements will be dependent upon demonstration of adequate quality performance as measured by HCFA's quality outcome measurement.

#### EXPANDING THE EACH PROGRAM

A third provision of this legislation is designed to facilitate the organization, delivery, and access to primary, preventive, and acute care services for medically underserved populations by fostering networks of essential community providers.

The Essential Access Community Hospital Program was enacted in 1989. This Medicare initiative provides a unique Federal-State partnership to assure the availability of primary care, emergency services, and limited acute inpatient services in rural areas. The EACH Program was created to maximize resources available to rural residents by establishing regional networks of full-service hospitals [EACH's] connected to limited-service rural primary care hospitals [RPCH's]. Since 1991, over \$17 million has been awarded in seven participating States.

In a March 1993 report by the Alpha Center, the strengths of the EACH Program were clearly articulated. They stated:

The EACH Program has released an enormous amount of creative energy focused on the development of regional networks that link health care providers in remote areas with those in more densely populated communities.

A letter from the project directors of the seven EACH States contained the following comment.

We believe the EACH concept will assist policymakers, regulators and changemakers in the long process of refocusing rural health care delivery.

I am confident that the EACH Program provides a framework for greatly improving the quality and efficiency of primary care, emergency services, and acute inpatient services in rural areas across the country. As a result, this legislation contains language that would extend the EACH Program to all States.

In addition, creating a new urban Essential Community Provider Program [ECP] would carry the network concept to our Nation's inner cities. While different from the rural EACH Program, the urban ECP Program would concentrate on networking hospitals with primary care service centers, particularly federally qualified health centers. In addition, ECP networks could combine with rural networks.

A report by the General Accounting Office found that "more than 40 percent of emergency department patients and illnesses or injuries categorized as nonurgent conditions." The growth in the number of patients with nonurgent conditions visiting emergency departments is greatest among patients with little

or no health insurance coverage—exactly those populations served by essential community providers. Networks of essential community provider hospitals and clinics will help steer patients to more appropriate clinical settings and, as a result, maximize the resources available in both emergency and non-emergency settings.

The concept of inner-city provider networks designed to ease access and improve continuity of care is not new. Initiatives are currently being pursued in urban areas across this country to do just that. This legislation would boost these efforts through critical financial and structured technical assistance.

Funding under the ECP Program would be available for the expansion of primary care sites, development of information, billing and reporting systems, planning and needs assessment, and health promotion outreach to underserved populations in the service area. Facilities eligible to participate in the ECP networks—those designated as "essential community providers"—include Medicare disproportionate share hospitals, rural primary care hospitals, essential access community hospitals, and federally qualified health centers [FQHC] or those clinics which otherwise fulfill the requirements for FQHC status except for board membership requirements.

In order to facilitate integration of hospitals and clinics into these community health networks, physicians at network clinic sites would be provided admitting privileges at network hospitals. In addition, the placement of residents at network-affiliated FQHC's would be counted in the total number of residency positions when determining the indirect medical education [IME] reimbursement to hospitals under Medicare. The authorized funding level for rural EACH and urban ECP would be increased tenfold, from the current level of \$25 to \$250 million annually.

I am introducing the Essential Health Facilities Investment Act of 1997 because I believe this legislation is an important and necessary component of the effort to reform our Nation's health care delivery system. The initiatives in this bill are essential to ensuring access to high quality and efficient services for everyone in our communities.

#### TRIBUTE TO THE SOUTH BRONX JOBS CORPS CENTER

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. SERRANO. Mr. Speaker, recently I had the opportunity to visit the South Bronx Jobs Corps Center, which has been successful at helping disadvantaged youngsters acquire the educational and professional skills they need to succeed in the workplace.

Established 11 years ago in my South Bronx congressional district, the South Bronx Jobs Corps Center is proud of the 500 Bronx youngsters it serves annually. The center provides students with guidance and training, tailored to their individual needs. At the center, youngsters have the opportunity to obtain a high school equivalency diploma and to learn a variety of trades including, office assistant with knowledge of word processing, accounting clerk, nurse assistant, and building maintenance technician.

In addition, the center encourages students to participate in community service. Every year students partake in antiraffiti campaigns and in beautifying buildings in our community. They also host meetings of Community Board No. 5 and the 46th Precinct Council, which students are encouraged to attend and participate in.

The South Bronx Jobs Corps Center fosters a family-oriented environment to help youngsters overcome their challenges. It houses 200 youngsters and provides day care services to students' children ages 3 months to 3 years. The social component of the center's training includes parenting classes for students.

In 1964, President Lyndon B. Johnson proposed the establishment of the Jobs Corps as an initiative to fight poverty. The South Bronx Jobs Corps Center is 1 of 100 centers nationwide and in Puerto Rico, serving youngsters ages 16 to 24.

Supported by President Clinton, the Jobs Corps continues to be an effective program to assist at-risk youngsters in completing their education, increasing their self-esteem, developing a sense of belonging to the community, and preparing for a productive adulthood.

This May 100 students will graduate from the South Bronx Jobs Corps Center. Seventeen of the center's 100 employees are South Bronx Jobs Corps graduates. Many others after completing the program have pursued a college education and secured part-time or full-time jobs.

The most famous graduate from one of the centers in the Nation is heavyweight champion George Foreman. Mr. Foreman, who also authored a cook book, visited the South Bronx Jobs Corps Center recently to talk about the importance that the Jobs Corps program has had in his overall career.

Mr. Speaker, I ask my colleagues to join me recognizing the staff and students of the South Bronx Jobs Corps Center for their outstanding achievements and in wishing them continued success.

#### TERM LIMITS

HON. LINDA SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mrs. SMITH of Washington. Mr. Chairman, today I will vote against the seven term limits amendments to the U.S. Constitution which were offered by Members of Congress who represent States which have passed term limits referendums. According to these so-called scarlet letter proposals, if a Member of Congress from one of these States failed to vote in favor of the exact term limit proposal approved in the referendum, the phrase "violated voter instruction on term limits" would be printed next to the Member's name on future ballots.

I am a strong supporter of term limits. I co-sponsored House Joint Resolution 3 in the 104th and 105th Congress which would limit terms in the House to three terms and two terms in the Senate.

Nevertheless, I opposed the scarlet letter proposals because the way these referendums are drafted, they preclude Members of Congress in scarlet letter ballot States from voting for any other version than the one approved

by the voters. While I respect the voters' will to impose term limits and return to a citizen legislature, I believe the scarlet letter initiative is ill-conceived. By dictating the exact language of the amendment rather than providing the desired general terms, the referendum precludes Members from voting for amendments which would accomplish the same thing.

Today I supported three different proposals including: First the McCollum base bill which sets a lifetime limit of six terms in the House and two terms in the Senate; second, the Fowler amendment which sets four consecutive terms in the House and two consecutive terms in the Senate; and third, the Scott amendment which sets a lifetime limit of six terms in the House and two terms in the Senate while also giving States the right to enact shorter terms. I believe these are each viable and reasonable proposals.

We need legislators in Washington, DC, more concerned about the well-being of the Nation than building their own political empire. Term limits will eliminate career politicians who, through the benefits of incumbency and cozy relationships with special interests, have stacked the deck against challengers.

While term limitations are a blunt instrument, I hope they will help bring to Congress citizen legislators interested in serving their country for a limited time and returning to private life where they too must live by the laws they have created.

#### TRIBUTE TO ELLIOTT P. LAWS

#### HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Ms. HARMAN. Mr. Speaker, I rise today to honor Elliott P. Laws, who is stepping down from his position as EPA's Assistant Administrator for Solid Waste and Emergency Response at the end of this week.

In my view, no member of the Clinton administration has been more effective in serving the American people. Like many, Elliott possesses the necessary intelligence, creativity, and patience. But what has made Elliott truly special is that he is a caring and compassionate person—qualities which pervade every aspect of his work.

With his vast experience not only in the Federal Government, but also in the private sector and at the State level, it is no wonder that Elliott has not tolerated business as usual at the EPA. Elliott embodies the notion of reinventing government.

For more than 2 years, Elliott and I have worked together to help constituents of mine who have the misfortune of living between two Superfund sites—a former DDT manufacturing plant and toxic waste pits. Before Elliott got involved, EPA seemed content to stick with the old way of doing business and planned to temporarily move residents, remove toxic DDT from their homes, and then return them to their neighborhood—notwithstanding the waste pits which loomed nearby.

Once I called on Elliott for help, he made it clear that the old way was not acceptable, and that an innovative solution had to be found. To begin with, Elliott came to California to meet with residents in their own backyards to learn

the scope of the problem from them. Elliott used his persuasiveness to get local residents and potential responsible parties to sit down with a mediator to discuss ways to permanently relocate those at the site. Months and months of hard work by everyone involved has apparently paid off and a buyout plan will hopefully be ratified in the next few weeks. Residents will be permanently relocated, and can finally move on with their lives.

Mr. Speaker, the Federal Government needs more public servants like Elliott Laws. I wish him well in all of his future endeavors.

#### INTRODUCTION OF THE MIGRATORY BIRD TREATY REFORM ACT OF 1997

#### HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. YOUNG of Alaska. Mr. Speaker, I am pleased to introduce today, along with the co-chairman of the Congressional Sportsmen's Caucus, JOHN TANNER, and our colleague, CLIFF STEARNS, the Migratory Bird Treaty Reform Act of 1997. This measure is basically identical to legislation I proposed at the end of the previous Congress.

It has been nearly 80 years since the Congress enacted the Migratory Bird Treaty Act [MBTA]. Since that time, there have been numerous congressional hearings and a distinguished Law Enforcement Advisory Commission was constituted to review the application of the MBTA regulations. Although these efforts clearly indicated serious problems, there has been no meaningful effort to change the statute or modify the regulations. Due to administrative inaction and the clear evidence of inconsistent application of regulations and confusing court decisions, it is time for the Congress to legislatively change certain provisions that have, and will continue to penalize many law-abiding citizens. I assure my colleagues, as well as landowners, farmers, hunters, and concerned citizens, that this legislation in no way undermines the fundamental goal of protecting migratory bird resources.

Before explaining this legislation, I would like to provide my colleagues with some background on this issue. In 1918, Congress enacted the Migratory Bird Treaty Act, that implemented the 1916 Convention for the Protection of Migratory Birds between Great Britain—for Canada—and the United States. Since that time, there have been similar agreements signed between the United States, Mexico, and the former Soviet Union. The convention and the act are designed to protect and manage migratory birds as well as regulate the taking of that renewable resource.

In an effort to accomplish these goals, over the years certain restrictions have been imposed by regulation on the taking of migratory birds by hunters. Many of these restrictions were recommended by sportsmen who felt that they were necessary management measures to protect and conserve renewable migratory bird populations. Those regulations have clearly had a positive impact, and viable migratory bird populations have been maintained despite the loss of natural habitat because of agricultural, industrial, and urban activities.

Since the passage of the MBTA and the development of the regulatory scheme, various

legal issues have been raised and most have been successfully resolved. However, one restriction that prohibits hunting migratory birds by the aid of baiting, or on or over any baited area has generated tremendous controversy, and it has not been satisfactorily resolved. The reasons for this controversy are twofold:

First, a doctrine has developed in Federal courts whereby the actual guilt or innocence of an individual hunting migratory birds on a baited field is not an issue. If it is determined that bait is present, and the hunter is there, he is guilty under the doctrine of strict liability, regardless of whether there was knowledge or intent. Courts have ruled that it is not relevant that the hunter did not know or could not have reasonably known bait was present. Understandably, there has been much concern over the injustice of this doctrine that is contrary to the basic tenet of our criminal justice system: that a person is presumed innocent until proven guilty, where intent is a necessary element of that guilt.

A second point of controversy is the related issue of the zone of influence doctrine developed by the courts relating to the luring or attracting of migratory birds to the hunting venue. Currently, courts hold that if the bait could have acted as an effective lure, a hunter will be found guilty, regardless of the amount of the alleged bait or other factors that may have influenced the migratory birds to be present at the hunting site. Again, a number of hunters have been unfairly prosecuted by the blanket application of this doctrine.

In addition, under the current regulations, grains scattered as a result of agricultural pursuits are not considered bait as the term is used. The courts and the U.S. Fish and Wildlife Service, however, disagree on what constitutes normal agricultural planting or harvesting or what activity is the result of bona fide agricultural operations.

During the past three decades, Congress has addressed various aspects of the baiting issue. It has also been addressed by a Law Enforcement Advisory Commission appointed by the Fish and Wildlife Service. Sadly, nothing has resulted from these examinations and the problems still persist. As a consequence, landowners, farmers, wildlife managers, sportsmen, and law enforcement officials are understandably confused.

On May 15, 1996, the House Resources Committee, which I chair, conducted an oversight hearing to review the problems associated with the MBTA regulations, their enforcement, and the appropriate judicial rulings. It was abundantly clear from the testimony at this hearing, as well as previous hearings, that the time has come for the Congress to address these problems through comprehensive legislation. From a historical review, it is obvious that regulatory deficiencies promulgated pursuant to the Migratory Bird Treaty Act will not be corrected, either administratively or by future judicial rulings.

Since there is inconsistent interpretation of the regulations under MBTA that the executive and judicial branches of Government have failed to correct, the Congress has an obligation to eliminate the confusion and, indeed, the injustices that now exist. It is also important that Congress provide guidance to law enforcement officials who are charged with the responsibility of enforcing the law and the accompanying regulations.

It must be underscored that sportsmen, law enforcement officials and, indeed, Members of

Congress all strongly support the basic intent of the Migratory Bird Treaty Act that our migratory bird resources must be protected from overexploitation. Sportsmen have consistently demonstrated their commitment to the wise use of renewable wildlife resources through reasoned management and enforcement of appropriate regulations.

Over the years, various prohibitions on the manner and methods of taking migratory birds have been embodied in regulations. Many of these prohibitions are decades old and have the support of all persons concerned with protecting migratory birds. In my judgment, it would be appropriate to incorporate these regulations in statutory law, and my proposed bill accomplishes that objective. This provision does not, however, restrict or alter the Secretary of the Interior's annual responsibilities to establish bag limits or duration of seasons. Nor does it prevent additional prohibitions, including hunting methods of migratory birds, from being implemented.

Second, a fundamental goal of the Migratory Bird Treaty Reform Act of 1997 is to address the baiting issue. Under my proposed legislation, no person may take migratory birds by the aid of bait, or on or over bait, where that person knew or should have known the bait was present. The provision removes the strict liability interpretation made first by a Federal court in Kentucky in 1939, and presently followed by a majority of Federal courts. With this provision, uniformity in the application of the prohibition is established.

As important, however, is the establishment of a standard that permits a determination of the actual guilt of the defendant. If the facts demonstrate that the hunter knew or should have known of the alleged bait, liability—which includes fines and potential incarceration—will be imposed. If by the evidence, however, the hunter could not have reasonably known that the alleged bait was present, liability would not be imposed and penalties would not be assessed. This would be a question of fact to be determined by the court based on the totality of the evidence presented.

Furthermore, the exceptions to baiting prohibitions contained in Federal regulations have been amended to permit exemption for grains found on a hunting site as a result of normal agricultural planting and harvesting as well as normal agricultural operations. This proposed change will establish reasonable guidelines for both the hunter and the law enforcement official.

To determine what is a normal agricultural operation in a given region, the U.S. Fish and Wildlife Service will be required to annually publish, in the Federal Register, a notice for public comment defining what is a normal agricultural operation for that particular geographic area. This determination is to be made only after meaningful consultation with relevant State and Federal agencies and an opportunity for public comment. Again, the goal of this effort is to provide uniformity and clarity for landowners, farmers, wildlife managers, law enforcement officials, and hunters so they know what a normal agricultural operation is for their region.

In addition, the proposed legislation permits the scattering of various substances like grains and seeds, which are currently considered bait, if it is done to feed farm animals and is a normal agricultural operation in a given area, as recognized by the Fish and

Wildlife Service and published in the Federal Register.

Finally, the term bait is defined as the intentional placing of the offending grain, salt, or other feed. This concept removes from violation the accidental appearance of bait at or near the hunting venue. There have been cases where hunters have been charged with violating baiting regulations as a result of grain being unintentionally spilled on a public road, where foreign grain was inadvertently mixed in with other seed by the seller and later found at a hunting site, and where foreign grain was deposited by animals or running water. These are examples of actual cases where citations were given to individuals for violations of the baiting regulations.

Under my proposed legislation, the hunter would also be permitted to introduce evidence at trial on what degree the alleged bait acted as the lure or attraction for the migratory birds in a given area. In cases where 13 kernels of corn were found in a pond in the middle of a 300-acre field planted in corn or where 34 kernels of corn were found in a wheat field next to a freshwater river, the bait was clearly not the reason migratory birds were in the hunting area. First, it was not intentionally placed there and, second, it could not be considered an effective lure or attraction under the factual circumstances. These are questions of fact to be determined in a court of law. Currently, however, evidence of these matters is entirely excluded as irrelevant under the strict liability doctrine.

In 1934, Congress enacted the Migratory Bird Conservation Act as a mechanism to provide badly needed funds to purchase suitable habitat for migratory birds. Today, that need still exists, and my legislation will require that all fines and penalties collected under the MBTA be deposited into the Migratory Bird Conservation Fund. These funds are essential to the long-term survival of our migratory bird populations.

Finally, this measure proposes that personal property that is seized can be returned to the owner by way of a bond or other surety, prior to trial, at the discretion of the court.

Mr. Speaker, the purpose of the proposed Migratory Bird Treaty Reform Act is to provide clear guidance to landowners, farmers, wildlife managers, hunters, law enforcement officials, and the courts on what are the restrictions on the taking of migratory birds. The conflict within the Federal judicial system and the inconsistent application of enforcement within the U.S. Fish and Wildlife Service must be resolved. The proposed legislation accomplishes that objective without, in any manner, weakening the intent of current restrictions on the method and manner of taking migratory birds; nor do the proposed provisions weaken protection of the resource. Finally, the proposed legislation does not alter or restrict the Secretary of the Interior's ability to promulgate annual regulations nor inhibit the issuance of further restrictions on the taking of migratory birds.

Mr. Speaker, I urge my colleagues to carefully review the Migratory Bird Treaty Reform Act of 1997. It is a long overdue solution to several ongoing problems that regrettably continue to unfairly penalize many law-abiding hunters in this country.

## TRIBUTE TO MONTEFIORE MEDICAL CENTER

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to Montefiore Medical Center for 50 years of caring in our Bronx community.

Mr. Speaker, this year, 1997, marks the 50th anniversary of the Montefiore Home Health Agency. Since its inception as the first hospital-based home health agency in the United States, Montefiore has cared for tens of thousands of patients.

Montefiore offers a variety of programs. The long term home health care program, provides a continuum of care at home to the chronically ill, who would otherwise require nursing home placement. The teleCare program provides 24-hour access to emergency assistance in the home. The certified home health agency provides short-term care to patients in the post-hospital period. Such programs have been vital to patients recovery and recuperation.

I would like to highlight the staff's devotion and energy in tending to the individual needs of each patient. Medical social workers provide unique and personal care. They teach patients how to use a variety of assistance devices. From nurses to occupational and physical therapists, these fine professionals are there when needed.

Montefiore and its home health care staff stand out in their field. Montefiore succeeds in dramatically improving patients' quality of life.

Mr. Speaker, let us join in the celebration of this milestone and acknowledge this outstanding agency for 50 years of accomplishment and service.

## THE INTRODUCTION OF THE SECURITY AND FREEDOM THROUGH ENCRYPTION [SAFE] ACT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. GOODLATTE. Mr. Speaker, today I am pleased, along with 54 of my colleagues, to introduce the Security And Freedom through Encryption [SAFE] Act of 1997.

This much-needed, bipartisan legislation accomplishes several important goals. First, it aids law enforcement by preventing piracy and white-collar crime on the Internet. It is an ounce of prevention is worth a pound of cure, then an ounce of encryption is worth a pound of subpoenas. With the speed of transactions and communications on the Internet, law enforcement cannot possibly deal with pirates and criminal hackers by waiting to react until after the fact.

Only by allowing the use of strong encryption, not only domestically but internationally as well, can we hope to make the Internet a safe and secure environment. As the National Research Council's Committee on National Cryptography Policy concluded:

If cryptography can protect the trade secrets and proprietary information of businesses and thereby reduce economic espionage (which it can), it also supports in a

most important manner the job of law enforcement. If cryptography can help protect national critical information systems and networks against unauthorized penetration (which it can), it also supports the national security of the United States.

Second, if the Global Information Infrastructure is to reach its true potential, citizens and companies alike must have the confidence that their communications and transactions will be secure. The SAFE Act, by allowing all Americans to use the highest technology and strongest security available, will provide them with that confidence.

Third, with the availability of strong encryption overseas and on the Internet, our current export controls only serve to tie the hands of American business. According to an economic study released in December 1995 by the Computer Systems Policy Project, failure to remove these export controls by the year 2000—just 3 short years from now—will cost our economy \$60 billion and 200,000 jobs.

The SAFE Act remedies this situation by allowing the unencumbered export of generally available software and hardware if a product with comparable security features is commercially available from foreign suppliers. Removing these export barriers will free U.S. industry to remain the world leader in software, hardware, and Internet development. And by allowing the U.S. computer industry to use and export the highest technology available with the strongest security features available, America will be leading the way into the 21st century information age and beyond.

This bipartisan legislation enjoys the support of members and organizations across the spectrum of all ideological and political beliefs. Groups as varied as the American Civil Liberties Union, National Rifle Association, Americans for Tax Reform, Netscape, Microsoft, Novell, Lotus, Adobe, Software Publishers Association, Information Technology Association of America, Citizens for a Sound Economy, Competitive Enterprise Institute, Business Leadership Council, IBM, Small Business Survival Committee, Sybase, RSA Data Security, Semiconductor Industry Association, Telecommunications Industry Association, and National Association of Manufacturers strongly support this legislation, to name just a few.

The SAFE Act enjoys this support not only because it is a commonsense approach to solving a very immediate problem, but also because ordinary Americans' personal privacy and computer security is being assaulted by this administration. Amazingly enough, the administration wants to mandate a back door into peoples' computer systems in order to access their private information and confidential communications. In fact the administration has said that if private citizens and companies do not voluntarily create this back door, it will seek legislation forcing Americans to give the Government access to their information by means of a key escrow system requiring computer users to put the keys to decode their encrypted communications into a central data bank. This is the technological equivalent of mandating that the Federal Government be given a key to every home in America.

The SAFE Act, on the other hand, will prevent the administration from placing roadblocks on the information superhighway by prohibiting the Government from mandating a back door into the computer systems of pri-

vate citizens and businesses. Additionally, the SAFE Act ensures that all Americans have the right to choose any security system to protect their confidential information.

Mr. Speaker, with the millions of communications, transmissions, and transactions that occur on the Internet every day, American citizens and businesses must have the confidence that their private information and communications are safe and secure. That is precisely what the SAFE Act will ensure. I urge each of my colleagues to join and support this bipartisan effort.

The original cosponsors are Representatives LOFGREN, DELAY, BOEHNER, COBLE, SENBRENNER, BONO, PEASE, CANNON, CONYERS, BOUCHER, GEKAS, SMITH (TX), INGLIS, BRYANT (TN), CHABOT, BARR, JACKSON-LEE, WATERS, ACKERMAN, BAKER (NC), BARTLETT, CAMPBELL, CHAMBLISS, CUNNINGHAM, DAVIS (VA), DICKEY, DOOLITTLE, EHLERS, ENGEL, ESHOO, EVERETT, EWING, FARR, GEJDENSON, GILLMOR, GOODE, Delegate HOLMES-NORTON, Representatives HORN, Mrs. EDDIE BERNICE JOHNSON (TX), Mr. SAM JOHNSON (TX), KOLBE, MCINTOSH, MCKEON, MANZULLO, MATSUI, MICA, MINGE, MOAKLEY, NETHERCUTT, PACKARD, SESSIONS, UPTON, WHITE, and WOOLSEY.

Mr. Speaker, I would like the text of this legislation reprinted in the RECORD.

H.R.—

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Security and Freedom Through Encryption (SAFE) Act".

#### SEC. 2. SALE AND USE OF ENCRYPTION.

(a) IN GENERAL.—Part I of title 18, United States Code, is amended by inserting after chapter 121 the following new chapter:

##### "CHAPTER 122—ENCRYPTED WIRE AND ELECTRONIC INFORMATION

"2801. Definitions.

"2802. Freedom to use encryption.

"2803. Freedom to sell encryption.

"2804. Prohibition on mandatory key escrow.

"2805. Unlawful use of encryption in furtherance of a criminal act.

#### § 2801. Definitions

"As used in this chapter—

"(1) the terms 'person', 'State', 'wire communication', 'electronic communication', 'investigative or law enforcement officer', 'judge of competent jurisdiction', and 'electronic storage' have the meanings given those terms in section 2510 of this title;

"(2) the terms 'encrypt' and 'encryption' refer to the scrambling of wire or electronic information using mathematical formulas or algorithms in order to preserve the confidentiality, integrity, or authenticity of, and prevent unauthorized recipients from accessing or altering, such information;

"(3) the term 'key' means the variable information used in a mathematical formula, code, or algorithm, or any component thereof, used to decrypt wire or electronic information that has been encrypted; and

"(4) the term 'United States person' means—

"(A) any United States citizen;

"(B) any other person organized under the laws of any State, the District of Columbia, or any commonwealth, territory, or possession of the United States; and

"(C) any person organized under the laws of any foreign country who is owned or controlled by individuals or persons described in subparagraphs (A) and (B).

#### "§ 2802. Freedom to use encryption

"Subject to section 2805, it shall be lawful for any person within any State, and for any

United States person in a foreign country, to use any encryption, regardless of the encryption algorithm selected, encryption key length chosen, or implementation technique or medium used.

#### "§ 2803. Freedom to sell encryption

"Subject to section 2805, it shall be lawful for any person within any State to sell in interstate commerce any encryption, regardless of the encryption algorithm selected, encryption key length chosen, or implementation technique or medium used.

#### "§ 2804. Prohibition on mandatory key escrow

"(a) PROHIBITION.—No person in lawful possession of a key to encrypted information may be required by Federal or State law to relinquish to another person control of that key.

"(b) EXCEPTION FOR ACCESS FOR LAW ENFORCEMENT PURPOSES.—Subsection (a) shall not affect the authority of any investigative or law enforcement officer, acting under any law in effect on the effective date of this chapter, to gain access to encrypted information.

#### "§ 2805. Unlawful use of encryption in furtherance of a criminal act

"Any person who willfully uses encryption in furtherance of the commission of a criminal offense for which the person may be prosecuted in a court of competent jurisdiction—

"(1) in the case of a first offense under this section, shall be imprisoned for not more than 5 years, or fined in the amount set forth in this title, or both; and

"(2) in the case of a second or subsequent offense under this section, shall be imprisoned for not more than 10 years, or fined in the amount set forth in this title, or both."

(b) CONFORMING AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 33 of the following new item:

"122. Encrypted wire and electronic information ..... 2801".

#### SEC. 3. EXPORTS OF ENCRYPTION.

(a) AMENDMENT TO EXPORT ADMINISTRATION ACT OF 1979.—Section 17 of the Export Administration Act of 1979 (50 U.S.C. App. 2416) is amended by adding at the end thereof the following new subsection:

"(g) COMPUTERS AND RELATED EQUIPMENT.—

"(1) GENERAL RULE.—Subject to paragraphs (2), (3), and (4), the Secretary shall have exclusive authority to control exports of all computer hardware, software, and technology for information security (including encryption), except that which is specifically designed or modified for military use, including command, control, and intelligence applications.

"(2) ITEMS NOT REQUIRING LICENSES.—No validated license may be required, except pursuant to the Trading With the Enemy Act or the International Emergency Economic Powers Act (but only to the extent that the authority of such Act is not exercised to extend controls imposed under this Act), for the export or reexport of—

"(A) any software, including software with encryption capabilities—

"(i) that is generally available, as is, and is designed for installation by the purchaser; or

"(ii) that is in the public domain for which copyright or other protection is not available under title 17, United States Code, or that is available to the public because it is generally accessible to the interested public in any form; or

"(B) any computing device solely because it incorporates or employs in any form software (including software with encryption capabilities) exempted from any requirement



for a validated license under subparagraph (A).

“(3) SOFTWARE WITH ENCRYPTION CAPABILITIES.—The Secretary shall authorize the export or reexport of software with encryption capabilities for nonmilitary end uses in any country to which exports of software of similar capability are permitted for use by financial institutions not controlled in fact by United States persons, unless there is substantial evidence that such software will be—

“(A) diverted to a military end use or an end use supporting international terrorism;

“(B) modified for military or terrorist end use; or

“(C) reexported without any authorization by the United States that may be required under this Act.

“(4) HARDWARE WITH ENCRYPTION CAPABILITIES.—The Secretary shall authorize the export or reexport of computer hardware with encryption capabilities if the Secretary determines that a product offering comparable security is commercially available outside the United States from a foreign supplier, without effective restrictions.

“(5) DEFINITIONS.—As used in this subsection—

“(A) the term ‘encryption’ means the scrambling of wire or electronic information

using mathematical formulas or algorithms in order to preserve the confidentiality, integrity, or authenticity of, and prevent unauthorized recipients from accessing or altering, such information;

“(B) the term ‘generally available’ means, in the case of software (including software with encryption capabilities), software that is offered for sale, license, or transfer to any person without restriction, whether or not for consideration, including, but not limited to, over-the-counter retail sales, mail order transactions, phone order transactions, electronic distribution, or sale on approval;

“(C) the term ‘as is’ means, in the case of software (including software with encryption capabilities), a software program that is not designed, developed, or tailored by the software publisher for specific purchasers, except that such purchasers may supply certain installation parameters needed by the software program to function properly with the purchaser’s system and may customize the software program by choosing among options contained in the software program;

“(D) the term ‘is designed for installation by the purchaser’ means, in the case of software (including software with encryption capabilities) that—

“(i) the software publisher intends for the purchaser (including any licensee or trans-

feree), who may not be the actual program user, to install the software program on a computing device and has supplied the necessary instructions to do so, except that the publisher may also provide telephone help line services for software installation, electronic transmission, or basic operations; and

“(ii) the software program is designed for installation by the purchaser without further substantial support by the supplier;

“(E) the term ‘computing device’ means a device which incorporates one or more microprocessor-based central processing units that can accept, store, process, or provide output of data; and

“(F) the term ‘computer hardware’, when used in conjunction with information security, includes, but is not limited to, computer systems, equipment, application-specific assemblies, modules, and integrated circuits.”.

(b) CONTINUATION OF EXPORT ADMINISTRATION ACT.—For purposes of carrying out the amendment made by subsection (a), the Export Administration Act of 1979 shall be deemed to be in effect.

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 13, 1997, may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

## FEBRUARY 25

9:00 a.m.  
Agriculture, Nutrition, and Forestry  
To hold hearings to examine the impact of estate taxes on farmers.  
SR-332

9:30 a.m.  
Energy and Natural Resources  
To hold hearings on the President's proposed budget request for fiscal year 1998 for the Department of the Interior and Forest Service.  
SD-366

## FEBRUARY 26

9:00 a.m.  
Agriculture, Nutrition, and Forestry  
To hold hearings to examine the impact of capital gains taxes on farmers.  
SR-332

9:30 a.m.  
Energy and Natural Resources  
Business meeting, to mark up S. 104, to amend the Nuclear Waste Policy Act of 1982, and to consider the nomination of Federico Pena, of Colorado, to be Secretary of Energy, and other pending calendar business.  
SD-366

Environment and Public Works  
Transportation and Infrastructure Subcommittee  
To resume hearings on proposed legislation authorizing funds for programs of the Intermodal Surface Transportation Efficiency Act.  
SD-406

Labor and Human Resources  
Business meeting, to consider pending calendar business.  
SD-430

Small Business  
To hold hearings on the President's budget request for fiscal year 1998 for the Small Business Administration.  
SR-428A

Indian Affairs  
To hold hearings on the President's proposed budget request for fiscal year 1998 for the Bureau of Indian Affairs and the Indian Health Service.  
SR-485

10:00 a.m.  
Joint Economic  
To hold hearings to examine the economic and budget outlook.  
Room to be announced

## FEBRUARY 27

9:30 a.m.  
Labor and Human Resources  
To hold hearings on proposed legislation authorizing funds for programs of the Higher Education Act.  
SD-430

10:00 a.m.  
Armed Services  
To hold hearings concerning the Department of Defense actions pertaining to Persian Gulf illnesses.  
SD-106  
Commerce, Science, and Transportation  
To hold hearings to examine violence in television programming.  
SR-253

## MARCH 4

9:30 a.m.  
Environment and Public Works  
Superfund, Waste Control, and Risk Assessment Subcommittee  
To hold hearings on proposals relating to liability and resource issues associated with the cleanup and redevelopment of abandoned or underutilized industrial and commercial properties.  
SD-406

## MARCH 5

9:00 a.m.  
Agriculture, Nutrition, and Forestry  
To hold hearings to examine the Department of Agriculture's business plan and reorganization management proposals.  
SR-332

9:30 a.m.  
Environment and Public Works  
Superfund, Waste Control, and Risk Assessment Subcommittee  
To hold hearings on S. 8, to authorize funds for and reform the Comprehensive Environmental Response, Liability, and Compensation Act of 1980 (Superfund).  
SD-406

## MARCH 6

9:30 a.m.  
Energy and Natural Resources  
To hold hearings to examine issues with regard to competitive change in the electric power industry.  
SH-216

Veterans' Affairs  
To hold joint hearings with the House Committee on Veterans' Affairs on the legislative recommendations of the Paralyzed Veterans of America, the Jewish War Veterans, the Retired Officers Association, the Association of the U.S. Army, the Non-Commissioned Officers Association, the Military Order of the Purple Heart, and the Blinded Veterans Association.  
345 Cannon Building

## MARCH 11

9:00 a.m.  
Agriculture, Nutrition, and Forestry  
To hold hearings on proposed legislation authorizing funds for agricultural research.  
SR-332

10:00 a.m.  
Energy and Natural Resources  
To hold hearings on the President's proposed budget request for fiscal year 1998 for the Department of Energy and the Federal Energy Regulatory Commission.  
SD-366

## MARCH 12

9:30 a.m.  
Commerce, Science, and Transportation  
To hold hearings to examine universal telephone service.  
SR-253  
Environment and Public Works  
To hold hearings on proposals to authorize state and local governments to enact flow control laws and to regulate the interstate transportation of solid waste.  
SD-406

## MARCH 13

9:00 a.m.  
Agriculture, Nutrition, and Forestry  
To resume hearings on proposed legislation authorizing funds for agricultural research.  
SR-332  
9:30 a.m.  
Energy and Natural Resources  
To resume hearings to examine issues with regard to competitive change in the electric power industry.  
SD-G50

## MARCH 18

9:00 a.m.  
Agriculture, Nutrition, and Forestry  
To resume hearings on proposed legislation authorizing funds for agricultural research.  
SR-332

## MARCH 19

9:30 a.m.  
Veterans' Affairs  
To hold joint hearings with the House Committee on Veterans' Affairs on the legislative recommendations of the Disabled American Veterans.  
345 Cannon Building

## MARCH 20

9:00 a.m.  
Agriculture, Nutrition, and Forestry  
To resume hearings on proposed legislation authorizing funds for agricultural research.  
SR-332

9:30 a.m.  
Energy and Natural Resources  
To resume hearings to examine issues with regard to competitive change in the electric power industry.  
SH-216

## Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs on the legislative recommendations of AMVETS, the American Ex-Prisoners of War, the Veterans of World War I, and the Vietnam Veterans of America.  
345 Cannon Building